

**PLANNING, POLICY & GOVERNMENTAL AFFAIRS
AUGUST 12-13, 2004**

TAB	DESCRIPTION	ACTION
1	PRESIDENTS' COUNCIL REPORT	Information Item
2	COLLEGE OF SOUTHERN IDAHO PROGRESS REPORT	Information Item
3	BOISE STATE UNIVERSITY AND UNIVERSITY OF IDAHO ALCOHOL POLICY WAIVER REQUEST	Motion to Approve
4	APPROVAL OF AGENCY AND INSTITUTION STRATEGIC PLANS	Motion to Approve
5	APPROVAL OF THE PROPOSED COMMERCIAL DRIVING SCHOOL RULES	Motion to Approve
6	APPROVAL OF THE TEMPORARY AND PROPOSED CHARTER SCHOOL RULES	Motion to Approve
7	DECISION ON RENAISSANCE PUBLIC CHARTER SCHOOL REVOCATION	Motion to Approve
8	RECONSIDERATION OF PROPOSED RULE – 08.01.01 RULES OF THE STATE BOARD OF EDUCATION – WAIVER RULE	Motion to Withdraw

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SUBJECT

President's Council Report.

APPLICABLE STATUTE, RULE, OR POLICY

N/A

BACKGROUND

Monthly report given by the President of the President's Council.

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

College of Southern Idaho Progress Report

BACKGROUND

Periodically, the institutions of higher education in the State of Idaho are requested to provide a progress report to the members of the State Board of Education. It has been approximately three years since the College of Southern Idaho has supplied an overview of its status and accomplishments.

DISCUSSION

Mr. Gerald Meyerhoffer will be in attendance at the meeting and present a summary of the accomplishments and future goals of the college.

IMPACT

President Meyerhoffer's presentation will provide the State Board members and others with current status information about the College of Southern Idaho.

STAFF COMMENTS AND RECOMMENDATIONS

No staff comments or recommendations are needed at this time.

BOARD ACTION

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INSTITUTION / AGENCY AGENDA
BOISE STATE UNIVERSITY, UNIVERSITY OF IDAHO

REFERENCE

June 18, 2004 The Board approved revisions to Section I.J., Use of Institutional Facilities and Services with Regard to the Private Sector, related to alcohol on campus.

SUBJECT

Boise State University and the University of Idaho request Board approval to establish secure areas for the purpose of allowing pre-game activities, corporations and sponsors to entertain clients and guests for fall 2004 home football games.

APPLICABLE STATUTE, RULE OR POLICY

Idaho State Board of Education Governing Policies and Procedures Section I.J., Use of Institutional Facilities and Services with Regard to the Private Sector

BACKGROUND

The current Board policies state that the institutions may not allow service of alcohol in conjunction with student athletic events. The institutions are seeking a Board waiver of the policy for the 2004 home football games at each of the two institutions.

DISCUSSION

Boise State University and the University of Idaho seek permission to set up secure areas for the purpose of allowing pre-game activities, corporations and sponsors to entertain clients and guests. The Institutions are planning to identify and secure pre-game activity, corporate and sponsor areas, which would allow groups to provide food and beverage (non-alcoholic and alcoholic) to their guests during each of the home football games during the 2004 football seasons. Each such event will follow all requirements of the Board's new policies in Section I.J regarding permitting of alcohol. In addition, each University will provide the following control measures:

1. Secured areas cordoned off to control access to and from the area.
2. A color-coded wristband, stamp or pass admission systems that would identify attendees and invited guests.
3. Companies/sponsors involved in the pre-game areas will be sent a letter outlining State of Idaho alcohol policy and pre-game procedures. The letter will state the minimum drinking age in Idaho is 21 and that at no time will underage drinking and/or the serving of alcohol to visibly intoxicated patrons be allowed.
4. All entry points and secured areas manned by security personnel.

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5. Security personnel located throughout the controlled area will be monitoring the alcohol wristband policy and patron behavior.
6. Patrons and sponsors will not be allowed to bring alcoholic beverages into the cordoned off areas.
7. Security personnel will not allow patrons to exit the areas with alcoholic beverages.
8. Licensed beverage providers will be required to insure and indemnify the State of Idaho, the State Board of Education and the appropriate university for a minimum of \$1,000,000. Beverage providers will be required to have the proper permits and licenses.

IMPACT

The Universities earn commission revenues from the sale of food and beverages provided by suppliers. In addition, the Universities will earn lease revenues from the rental of corporate and sponsor tents. These types of functions have strategic importance to the friend- and fund-raising activities of the Universities and as such are beneficial to the Universities and the State of Idaho.

The Universities will ensure that all the requirements of the Board's current policies are met.

STAFF COMMENTS AND RECOMMENDATIONS

Staff offers no comments or recommendations.

BOARD ACTION

A motion to approve the request by Boise State University to grant permission to establish secure areas under the conditions set forth in this request for the purpose of allowing pre-game activities, corporations and sponsors to entertain clients and guests for fall 2004 home football games, including the sale and serving of alcoholic beverages at the fall 2004 home football games.

Moved by _____ Seconded by _____ Carried Yes ____ No ____

AND

A motion to approve the request by the University of Idaho to grant permission to establish secure areas under the conditions set forth in this request for the purpose of allowing pre-game activities, corporations and sponsors to entertain clients and guests for fall 2004 home football games, including the sale and serving of alcoholic beverages at the fall 2004 home football games.

Moved by _____ Seconded by _____ Carried Yes ____ No ____

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Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: I. GENERAL GOVERNING POLICIES AND PROCEDURES

SUBSECTION: J. Use of Institutional Facilities and Services with Regard to the Private Sector

June 2004

J. Use of Institutional Facilities and Services

1. Use of Institutional Facilities and Services

- a. Consistent with education's primary responsibilities of teaching, research, and public service, the institutions, under the governance of the State Board of Education and Board of Regents of the University of Idaho (Board), have and will continue to provide facilities and services for educational purposes. Such services and facilities, when provided, should be related to the mission of the institution and not directly competitive with services and facilities reasonably available from the private sector. The institutions' provision of services and facilities should be educationally related. In addition, the Board recognizes that the institutions have a role in assisting community and economic development in a manner that supports the activities of the private sector. To this end, cooperation with local, state, and federal agencies is encouraged.
- b. Priority and guidelines for use of institutional services and facilities is as follows:
 - (1) Institutionally sponsored programs and projects.
 - (2) Community programs or projects of an educational nature where the services or facilities provided by the institutions are directly related to the teaching, research, or service mission of the institution.
 - (3) Local, state, or federally sponsored programs and projects.
 - (4) The institutions will maintain a list of special events, services and facilities provided in those special events, the sponsor's name, the date of the use, and the approximate number of persons attending. This list will be available for public inspection. Individual institutional policies should be adopted in accordance with this general philosophy and policy statement of the Board. To this end, a coordinated effort between the public and private sector is encouraged.

2. Possession, Consumption, and Sale of Alcohol Beverages at Institutional Facilities

- a. Board Administrative Rules IDAPA 08.01.08 provides requirements relative to alcoholic beverages on campus grounds. Said rules generally prohibit the possession or consumption of alcoholic beverages in areas open to and most commonly used by the general public on campus grounds. The rules authorize the Board to establish policies under which exceptions to the prohibition may be

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granted. The chief executive officer of each institution, or his or her designee, may waive the prohibition against possession or consumption of alcoholic beverages only as permitted by and in compliance with this policy. The grant of any such waiver shall be determined by the chief executive officer ("CEO") or the CEO's designee only in compliance with this Policy and in accordance with the provisions set forth herein, and not as a matter of right to any other person or party. In doing so, the chief executive officer must ensure that the decisions to allow possession and consumption of alcoholic beverages are consistent with the proper image and the mission of the institution.

- b. Each institution shall maintain a policy providing for an institutional Alcohol Beverage Permit process. For purposes of this policy, the term "alcoholic beverage" shall include any beverage containing alcoholic liquor as defined in Idaho Code Section 23-105. Waiver of the prohibition against possession or consumption of alcoholic beverages shall be evidenced by issuance of a written Alcohol Beverage Permit issued by the CEO of the institution (or the CEO's designee), which may be issued only in response to a completed written application therefore. Staff of the State Board of Education shall prepare and make available to the institutions the form for an Alcohol Beverage Permit and the form for an Application for Alcohol Beverage Permit, which are consistent with this Policy. Immediately upon issuance of an Alcohol Beverage Permit, a complete copy of the application and the permit shall be delivered to the Office of the State Board of Education, and Board staff shall disclose the issuance of the permit to the Board no later than the next Board meeting. An Alcohol Beverage Permit may only be issued to allow the sale or consumption of alcoholic beverages on public use areas of the campus grounds provided that all of the following minimum conditions shall be met. An institution may develop and apply additional, more restrictive, requirements for the issuance of an Alcohol Beverage Permit.
 - (1) An Alcohol Beverage Permit may be granted only for a specifically designated event (hereinafter "Permitted Event"). Each Permitted Event shall be defined by the activity planned, the area or location in which the activity will take place and the period of time during which the activity will take place. The activity planned for the Permitted Event must be consistent with the proper image and mission of the institution. The area or location in which the activity will take place must be defined with particularity, and must encompass a restricted space or area suitable for properly controlling the possession and consumption of alcoholic beverages. The time period for the activity must be a single contiguous time period for a separate defined occurrence (such as a dinner, a conference, a reception, a concert, a sporting competition and the like). An extended series of events or a continuous activity with no pre-determined conclusion shall not be a Permitted Event. The area or location of the Permitted Event, the restricted space or area therein for possession and consumption of alcoholic beverages and the applicable

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time periods for the Permitted Event must each be set forth in the Alcohol Beverage Permit and in the application therefore.

- (2) The serving of alcoholic beverages must be part of a planned food and beverage program for the Permitted Event, rather than a program serving alcoholic beverages only. Food must be available at the Permitted Event. Consumption of alcoholic beverages and food cannot be the sole purpose of a Permitted Event.
- (3) Non-alcoholic beverages must be as readily available as alcoholic beverages at the Permitted Event.
- (4) A Permitted Event must be one requiring paid admission through purchase of a ticket or through payment of a registration fee, or one where admission is by written, personal invitation. Events generally open to participation by the public without admission charges or without written personal invitation shall not be eligible for an alcoholic beverage permit. Only persons who have purchased a ticket or paid a registration fee for attendance at a Permitted Event or persons who have received a written invitation to a Permitted Event will be authorized to possess and consume alcoholic beverages at the Permitted Event.
- (5) Permitted Events which are generally open to the public through purchase of a ticket (such as sporting events, concerts or other entertainment events) must set out a confined and defined area where alcoholic beverages may be possessed and consumed. For such events, the defined area where alcoholic beverages may be possessed and consumed shall be clearly marked as such, and shall be separated in a fashion that entry into the area and exit from the area can be controlled to ensure that only those authorized to enter the area do so and that no alcoholic beverages leave the area. Only those individuals lawfully attending the Permitted Event who are of lawful age to consume alcoholic beverages may be allowed into the defined area. For such events there shall be sufficient space outside of the area where alcoholic beverages may be possessed and consumed to accommodate the participating public who do not wish to be present where alcoholic beverages are being consumed.
- (6) No student athletic events, (including without limitation NCAA, NIT, NAIA and intramural student athletic events) occurring in college or university owned, leased or operated facilities, or anywhere on campus grounds, shall be Permitted Events, nor shall a Permitted Event be allowed in conjunction with any such student athletic event.
- (7) An Alcohol Beverage Permit for a Permitted Event to which attendance is limited to individuals who have received a personal written invitation, or to

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those who have registered to participate in a particular conference (for example, a reception, a dinner, an exclusive conference) may allow alcoholic beverages to be possessed and consumed throughout the area of the event, provided that the area of the event is fully enclosed, and provided further that the area of the event must be such that entry into the area and exit from the area can be controlled to ensure that only those authorized to enter the area do so and that no alcoholic beverages leave the area. Additionally, the area of the Permitted Event must not be open to access by the general public, or to access by persons other than those properly participating in the Permitted Event.

- (8) Application for an Alcohol Beverage Permit must be made by the organizers of the event. Such organizers must comply with all applicable laws of the State of Idaho and the local jurisdiction with respect to all aspects of the event, including the possession sale and consumption of alcoholic beverages.
- (9) The Alcohol Beverage Permit, any required local catering permit, and applicable state or local alcoholic beverages permits shall be posted in a conspicuous place at the defined area where alcoholic beverages are authorized to be possessed and consumed.
- (10) The sale, service and consumption of alcoholic beverages at a Permitted Event shall be confined to the specific event, area or activity identified on the Beverage Permit application. Any alcoholic beverages allowed at a Permitted Event shall be supplied through authorized contractors of the organizers (such as caterers hired by the organizers). In no event shall the institution supply or sell alcoholic beverages directly. In no event shall the general public, or any participants in a Permitted Event be allowed to bring alcoholic beverages into a Permitted Event, or leave the defined area where possession and consumption is allowed while in possession of an alcoholic beverage.
- (11) The person/group issued the Beverage Permit and the contractors supplying the alcoholic beverages shall assume full responsibility to ensure that no one under the legal drinking age is supplied with any alcoholic beverage or allowed to consume any alcoholic beverage at the Permitted Event. Further, the person/group must provide proof of insurance coverage, including host liquor liability and liquor legal liability, in amounts and coverage limits sufficient to meet the needs of the institution, but in no case less than \$500,000 minimum coverage per occurrence. Such insurance must list the permitted person/group, the contractor, the institution, the State Board of Education and the State of Idaho as additional insureds, and the proof of insurance must be in the form a formal endorsement to the policy evidencing the coverage and the required additional insureds.

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- (12) The Alcohol Beverage Permit shall set forth the time at which sale, service, possession and consumption of alcoholic beverages will be permitted, which times shall be strictly enforced. Service and sale of alcoholic beverages shall stop at a time in advance of the time of closure of the event sufficient to allow an orderly and temperate consumption of the balance of the alcoholic beverages then in possession of the participants of the event prior to closure of the event.
- (13) These guidelines shall apply to both institutional and non-institutional groups using institutional facilities.
- c. Within residential facilities owned, leased or operated by an institution, the CEO or CEO's designee may allow the possession or consumption of alcoholic beverages by persons of legal drinking age within the living quarters of persons of legal drinking age. Consumption of alcohol shall not be permitted in the general use areas of any such residence facility. Possession of alcohol within the general use areas of a residential facility may only be done in a facility where consumption has been authorized by the CEO or CEO's designee, and such possession shall be only as is incidental to, and reasonably necessary for, transporting the alcohol by the person of legal drinking age to living quarters where consumption is allowed. The term "living quarters" as used herein shall mean, and be limited to, the specific room or rooms of a residential facility which are assigned to students of the institution (either individually or in conjunction with another room mate or room mates) as their individual living space.

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SUBJECT

Approval of Institution and Agency Strategic Plans.

APPLICABLE STATUTE, RULE, OR POLICY

Section I.M, Idaho State Board of Education Governing Policies and Procedures.

BACKGROUND

Agencies and Institutions are required to annually submit their Strategic Plans to the Board Office for review. Only those plans that have changes or amendments are included in these Board materials.

The Board Office has been reviewing options and methodologies for several years in order to establish a standardized reporting process for Strategic Planning. Several timeframes and formats have been previously tried, but previous Board staff did not enforce compliance to the Board Policy I.M. Consequently, each Institution and Agency continues to submit Strategic Plans that are significantly different from each other.

DISCUSSION

Two years ago, the Board Office responded to Board Members desire for a better working knowledge of Institution and Agency long-range planning issues by developing a series of reports in which the organizations would "fill in the blanks." This effort was designed to provide Board members a "snapshot review" of each organizations progress on their strategic plan objectives as the Board traveled around the state for scheduled meetings.

It is extremely important that institution and agency plans are in alignment with the overall goals & objectives of the State Board Of Education (SBOE). To that end, the model provided in the Idaho State School for the Deaf and the Blind (ISDB) strategic plan displays Board goals & objectives along side the Agency's Issues. We believe this model, or one very similar to it, can and should be used by all Institutions and Agencies in future.

Five (5) Year Strategic Plans are intended to answer the question of "What does the agency need to accomplish?" ... and "Where is our Primary Focus and Direction." The details of "How" they intend to accomplish these goals and objectives is spelled out in a more detailed Operations Plan, normally under separate cover (not included in this package).

Because this effort has not yet been implemented, the agencies and institutions have submitted strategic plans for the Board's review in their own formats. Several of the agencies and institutions have not made changes to their strategic plans so they are not included in the Board materials. They have, however, been submitted to the Board Office and are available for inspection. The agencies and institutions whose plans have been updated are included in these materials.

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Those agencies and institutions are: Idaho State School for the Deaf and the Blind, Idaho Division of Vocational Rehabilitation (IDVR), Idaho State University, College of Southern Idaho, and Eastern Idaho Technical College. ISDB and IDVR have made complete rewrites of their strategic plans. The institutions have made only minor, non substantive changes.

IMPACT

If the Board approves the Strategic Plans as submitted by the Institutions and Agencies, they will continue to work toward obtaining the goals and objectives as set out in the plans.

If the Board rejects the Strategic Plans as submitted by the Institutions and Agencies, they will need to draft new Strategic Plans.

If the Board accepts and approves the concept of standardized Strategic Plan / Operations Plan formats, they should enforce current policy whereby the Executive Director sets these formats and timetables. A motion to emphasize that approach should be considered to make the Board's intended direction clear to all parties.

STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval of the Institution and Agency Strategic Plans as submitted. Board staff further recommends approval of the standardized approach as outlined in the Strategic Plan submitted by ISDB and IDVR.

BOARD ACTION

A motion to approve the Institution Strategic Plans as submitted:

Moved by _____ Seconded by _____ Carried Yes _____ No _____

AND

A motion to approve the Agency Strategic Plans as submitted:

Moved by _____ Seconded by _____ Carried Yes _____ No _____

AND

A motion to direct the Executive Director to establish a standardized form and timelines for submission of strategic plans to the Board office:

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: I. GENERAL GOVERNING POLICIES AND PROCEDURES

SUBSECTION: M. Annual Planning and Reporting

April 2002

M. Annual Planning and Reporting

1. Strategic Plans

- a. Boise State University, Idaho State University, Lewis-Clark State College, University of Idaho, North Idaho College, College of Southern Idaho, Eastern Idaho Technical College, Division of Professional-Technical Education, Division of Vocational Rehabilitation, Idaho Educational Public Broadcasting System, and the School for the Deaf and the Blind will develop and maintain five-year strategic plans.

(1) Institution, school and agency strategic plans shall be aligned with the Board's strategic plan, be created in accordance with Board guidelines, and be consistent with assigned role and mission statements.

(2) Plans shall be updated annually and submitted to the Board for approval.

(3) Plans shall be submitted by the Board to the appropriate state administrative entity in order to meet the state's annual planning requirements.

- b. The Idaho State Historical Society and Idaho State Library are recognized as unique collaborators in the state education system and are encouraged to report annually to the Board in accordance with these guidelines.

c. Format

Plans submitted to the Board annually should be as concise as possible and in accordance with a schedule and format established by the executive director.

Plans should contain:

(1) A comprehensive mission and vision statement covering the major programs, functions and activities of the organization.

(2) General goals and objectives for the major programs, functions and activities of the organization, including a description of how they are to be achieved.

(a) Institutions (including Professional-Technical Education) and the School for the Deaf and the Blind should address, at a minimum, instructional issues (including accreditation and student issues), infrastructure issues (including personnel, finance, and facilities), advancement (including

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foundation activities), and the external environment served by the institution.

- (b) Agencies should address, at a minimum, constituent issues and service delivery, infrastructure issues (including personnel, finance, and facilities), and advancement (if applicable).

- (3) Identification of key factors external to the organization that could significantly affect the achievement of the general goals and objectives.

- (4) A brief description of the evaluations or processes to be used in establishing or revising general goals and objectives in the future.

2. Performance Measures

Performance measures will be developed in conjunction with the Board's planning process and will be updated annually for Board approval. Performance measures will be used to measure results, ensure accountability, and encourage continuous improvement to meet goals and objectives.

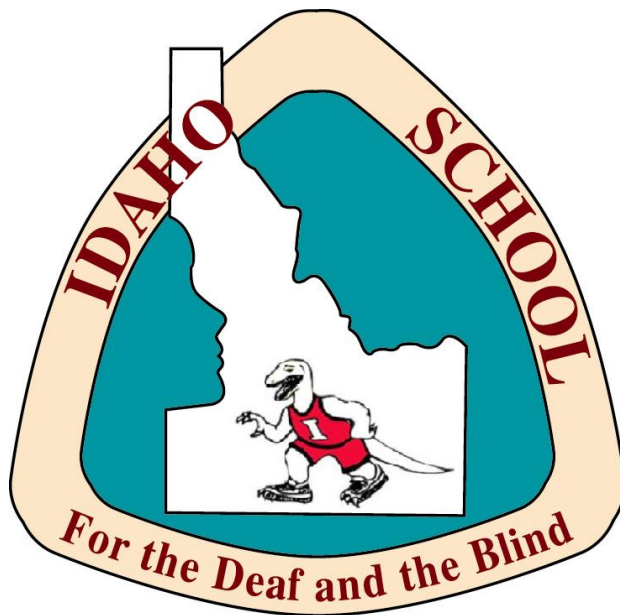
- a. Postsecondary institutions will develop a set of uniform performance measures that will gauge progress in such areas as enrollment, retention, and graduation.
- b. Each institution, agency and the school will develop unique measures tied to its strategic plan.

3. Progress Reports

Progress reports that include, but are not limited to, progress on the approved strategic plan, details of implementation, status of goals and objectives, and expanded information on points of interest and special appropriations will be provided to the Board at least once annually in accordance with a schedule and format established by the executive director.



STRATEGIC PLAN



2004-2009

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ISDB STRATEGIC PLAN 2004-2009

The state agency known as the Idaho School for the Deaf and the Blind (ISDB) is an integral part of the State Board of Education's overall plan and process for the delivery of quality education throughout Idaho. This Plan describes the primary vision, needs, concerns, goals, and objectives of the faculty, staff, administration, and student body toward achieving those goals. The mission and vision of our school reflects an ongoing commitment to meeting the challenge of educating the sensory impaired child.

It is extremely important that delivery of our agency's services is in alignment with the guiding goals & objectives of the State Board Of Education (SBOE). To that end, this plan displays SBOE goals & objectives along side the Agency's Strategic Planning Issues. We believe this model can and should be used by all Institutions and Agencies under SBOE governance.

ISDB's Strategic Plan 2004-2009 is intended to answer the question of "What does the agency need to accomplish?" ... and "Where is our Primary Direction for the coming five (5) years."

The details of "How" we intend to accomplish these goals and objectives is spelled out in the more detailed ISDB Operations Plan under separate cover (not included with this submission).

Harvey W. Lyter III
Interim Superintendent

VISION STATEMENT

The ISDB provides service to every LEA as part of the overall public education system. We are also committed to working with parents, vocational rehabilitation, the State Department of Education and other state agencies to insure that the educational needs of every deaf, hard of hearing, blind and visually impaired child in Idaho are met. Our focus is on compliance with state and federal regulations and guidelines, and delivery of high quality services leading to academic, occupational, and personal success of these young citizens. This shall lead to the highest potential for an adult life of independence and self-sufficiency: a meaningful personal, family and community life; and a useful, productive occupational life as citizens of our State and our Nation.

MISSION STATEMENT

To promote and maintain excellent and comprehensive educational opportunities for every deaf, hard of hearing, blind and visually impaired child in the state of Idaho from birth to 21 years of age. Our overall focus is on providing appropriate, effective, and efficient supplemental services to each Local Education Agency (LEA) in order to provide a quality educational, residential, and outreach program for deaf and blind students throughout the state.

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ISDB STRATEGIC PLAN 2004-2009

(Version-2, dated 7.26.04, Tracks 100% alignment to SBOE Goals & Objectives)

Alignment with SBOE Goals & Objectives	ISDB GOALS & OBJECTIVES
	1. GENERAL AGENCY ADMINISTRATION ISSUES
<div>III-2, IV-3</div> <div>III-3, IV-3</div> <div>I-1, IV-3</div> <div>IV-8</div> <div>II-3, IV-8</div>	<div>1.1- Revise Inter-Agency Agreement with SDE</div> <div>1.2- Update/Revise entire Policy Manual (include Student & Cottage Life Handbooks)</div> <div>1.3- Implement State Records Management Program throughout ISDB system</div> <div>1.4- Review/Revise Vehicle/Fleet Management procedures</div> <div>1.5- Review/Revise plan for Campus, Outreach offices facility utilization & renovation</div>
	2. ACADEMIC ISSUES
<div>I-1, III-4</div> <div>I-7, III-2, IV-3, IV-9</div> <div>II-3, II-7, III-3</div> <div>I-7, III-2, III-4, IV-2, IV-10</div> <div>I-5, II-2</div> <div>II-4</div>	<div>2.1- Align / Redesign curriculum around State Board Standards (ISAT) Requirements</div> <div>2.2- Consider options for year-round academics; 3-term schedule</div> <div>2.3- -- Pursue expansion of Outreach Program Staff to reduce caseload ratio burden</div> <div>2.4- Develop & Implement Achievement Based Curriculum / Skill Level Grouped Instructional Programs</div> <div>2.5- Increase Student Focus on Life Long Learning Habits & Skills (Offer LEAD program to younger students)</div> <div>2.6- Reorganize & Enhance program delivery in Special Needs Unit (SNU)</div> <div>2.7- Improve Staff & Student Sign Language Skills, Initiate</div>

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I-10, II-4, IV-8	mandatory training
	3. PERSONNEL ISSUES
I-9, III-3	3.1- Establish & Maintain pool of qualified candidates for rapid vacancy replacement(s)
I-3, III-3	3.2- Adopt 365 day contracts w/flexible duty assignment options (Non-Class employees)
IV-1, IV-5	3.3- Review options for year-round employment of Classified employees
I-8, IV-9	3.4- Expand opportunities for Professional Growth & Development
	4. FACILITY / PHYSICAL PLANT ISSUES
I-10 III-3	4.1- Projects to remodel existing facilities, Improve existing building utilization.
II-7, III-1, IV-4, IV-8	4.2- Balance Headquarters office space & School/Academic space requirements
I-10	4.3- Explore options for year-round utilizations of cottages, food services, classrooms
II-6, IV-4, IV-5	4.4- Pursue Safety & Security Upgrades throughout all Campus Facilities
	4.5- Pursue Grant to build Post-Secondary LEAD Living Facility on CSI Campus (Partner-Project with CSI Foundation)
	5. BUDGET / RESOURCE MANAGEMENT & DEVELOPMENT ISSUES
I-8, I-9, III-1	5.1- Focus OSBE/SBOE & Legislature on Educational Staff Pay Equity Issue (AHC #1 priority for FY06)
III-1, III-3, III-5	5.2- Strategy to obtain Fair Share of appropriated education funding (per capita like LEAs)
	6. COMMUNITY RELATIONS ISSUES
IV-5	6.1- Foundation to Agency; Balancing the relationship

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III-6	6.2- Building better ties with; 1) Commission for the Blind, Commission for Deaf/HH, RID
III-5, IV-4	6.3- IT Consortium Agreement - Mutual support arrangements among community services
I-4, IV-6	6.4- Improve contacts with Gooding Chamber Of Commerce, Rotary Club, etc
7. STUDENT / STAFF SUPPORT SERVICE ISSUES	
III-3, IV-10	7.1- Economical Operations / Weekend Home Travel Arrangements
II-3, II-4, IV-4, IV-8	7.2- Establish Low Vision Clinic for Magic Valley (like the Treasure Valley clinic in Boise)
I-10, IV-7	7.3- Review/Revise plans for cottage quality of life improvements & renovations
8. INFORMATION TECHNOLOGY / COMMUNICATIONS ISSUES	
II-4, IV-8	8.1- Communications upgrades throughout the facility (Total communications capabilities)
II-4, IV-8	8.2- Obtain & Maintain New Phone system; Direct Dial capability & Text messaging
I-1, II-3, IV-8	8.3- Standardize computer systems - Upgrade architectures for interoperability
9. MOST CHALLENGING ISSUES	
I-8, I-9	9.1- Educational Staff Pay Equity - reaching Policy goal
II-3, II-7	9.2- Outreach Program Manpower / Case Load Ratio Management

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The Role Of Strategic Planning Within The Idaho Division Of Vocational Rehabilitation

The Idaho Division of Vocational Rehabilitation (IDVR) has utilized a Strategic Plan to direct its operations for many years. Establishing goals and objectives has allowed the Division to focus on the future and anticipate changes so that it can best serve the changing needs of its clientele. Planning has also enabled the Division to utilize its resources most effectively, which is essential given the fixed resources available and the dynamics of legislation.

Content And Format

Since Federal and State governments operate according to different fiscal years, IDVR has utilized a calendar year in its Strategic Plan to provide some consistency. This Plan covers calendar years 2004 through 2008. A glossary is attached to provide clarification of terms used by the Vocational Rehabilitation profession.

The Plan is divided into four sections. The first section focuses on the Vocational Rehabilitation Program and presents specific goals, objectives and strategies for achieving these goals. While the majority of these goals relate directly to client services, some goals address behind-the-scenes issues that impact delivery of those services. The Division believes that effective and efficient methods of operation enable the Division to provide a high level of service to its clients.

The following three sections relate to IDVR programs: State Renal Disease, Epilepsy Services and the State Independent Living Program. Sections V and VI discuss the role of Strategic Planning within the Division, how the Division will achieve and monitor accomplishment of goals, and external issues that could significantly impact the Division's ability to achieve its goals.

Timing and Process

IDVR is required to submit a completed Strategic Plan to the Idaho Division of Financial Management no later than July 1, 2004.

As part of the process to develop a final version of the Strategic Plan, Vocational Rehabilitation and the State Rehabilitation Council (SRC) solicit public input from around the State of Idaho through Town Meetings. These meetings are intended to address concerns and considerations of any member of the public regarding issues relating to the Vocational Rehabilitation of individuals with disabilities. Typically, the State Plan is revised annually and the Plan is then submitted to Region X of the

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Rehabilitation Services Administration (RSA), which is located in Seattle, Washington. Whenever any significant changes are made to the Plan, the Division must notify RSA. A State Plan was submitted to RSA in April of 2004 for consideration.

The Idaho Division of Vocational Rehabilitation takes pride in providing the most effective, efficient services available to individuals with disabilities seeking employment. Our Strategic Plan is intended to promote the goals and activities necessary to assist Idahoans with disabilities in their efforts to return to employment.

Vocational Rehabilitation Program Mission Statement

We believe that independence and self-worth are enhanced through employment. We are committed to empowering people with disabilities with appropriate resources to make informed choices about their futures.

We are dedicated to being a strong voice for people with disabilities. We strive to promote cooperation and coordination between all entities to insure the provision of appropriate services to people with disabilities in Idaho.

Vocational Rehabilitation Program Goals
2004-2008

- **Continually Improve the Division's Performance.**
- **Pursue Relevant Program Expansion to Meet Customer Needs.**
- **Establish VR as the Primary Source of Information Relating to Vocational Training, Education and Employment of People with Disabilities.**

Goal #1 - Continually Improve The Division's Performance

OBJECTIVE 1	MEASUREMENT CRITERIA	TIMELINE
More fully utilize the expertise of the Field Services Employee Council.	Clarify the responsibilities of the Field Services Employee Council. Explore options for utilizing the Field Services Employee Council to focus on specific Division issues and to develop recommendations to address these issues, when appropriate.	2004-2005

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OBJECTIVE 2	MEASUREMENT CRITERIA	TIMELINE
Streamline the Vocational Rehabilitation process.	Develop an action plan and implement appropriate taskforce recommendations.	2004-2005

OBJECTIVE 3	MEASUREMENT CRITERIA	TIMELINE
Utilize Information Technology to its maximum capacity.	Identify the technologies, business practices, and barriers that must be addressed to support the full usage of Information Technology within IDVR. Prepare and implement an action plan that addresses these issues.	2004-2005

OBJECTIVE 4	MEASUREMENT CRITERIA	TIMELINE
Establish statewide consistency for orientation and training to insure continuity among all levels of staff.	Develop training curriculum that outlines information necessary to the effective and efficient delivery of services in accordance with best practice and State and Federal requirements. Update the Field Services Manual and post this information on the IDVR Web as a reference guide.	2004-2005

OBJECTIVE 5	MEASUREMENT CRITERIA	TIMELINE
Ensure the complete and effective implementation of Gemini and Famis statewide, fully utilizing current staff.	Develop evaluation instruments to assess the overall effectiveness of these systems in terms of staffing, process and policy; identify skill gaps and provide adequate training to address these; make necessary adjustments to ensure maximum efficiency and effectiveness.	2004-2006

OBJECTIVE 6	MEASUREMENT CRITERIA	TIMELINE
Implement Local Aware and dial up connection as Gemini options for Field Services use.	IDVR Information Technology staff will assess the steps necessary to establish Local Aware and dial up connection and make these available to staff statewide by the first six months of the state FY 2005.	2004-2005

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OBJECTIVE 7	MEASUREMENT CRITERIA	TIMELINE
Ensure staff is fully informed of information relative to the operation of the agency, disability issues affecting our clientele and service provision.	IDVR will enhance staff communication and information sharing through the expanded use of electronic communications, i.e., email newsletter, video conferencing statewide, Intranet, etc. Enhance staff participation in State, Regional, and National training opportunities.	2004-2005

Goal #2 - Pursue Relevant Program Expansion to Meet Customer Needs.

OBJECTIVE 1	MEASUREMENT CRITERIA	TIMELINE
Adequately meet the needs of the increasing number of School-Work Transition students identified throughout the State.	Implement School-Work Transition projects in Regions III, V, VI & VIII. Collaborate with School Districts and work through the Legislative process to insure the availability of adequate resources.	2004-2007

OBJECTIVE 2	MEASUREMENT CRITERIA	TIMELINE
Adequately meet the needs of the increasing Adult Corrections population statewide.	Expand services to the Adult Correction population throughout the state in collaboration with Department of Correction and insure adequate resources to support the expansion through the development of cooperative funding agreements.	2004-2007

OBJECTIVE 3	MEASUREMENT CRITERIA	TIMELINE
Ensure VR staff has basic knowledge of SSA/Ticket To Work.	Identify resources available to VR staff to increase their basic knowledge of SSA/Ticket To Work; its proposed usage; and provide training as needed. Develop a fiscal tracking system for payment reimbursement and reporting.	2004-2005

OBJECTIVE 4	MEASUREMENT CRITERIA	TIMELINE
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Enhance revenue opportunities for all VR programs.	Identify, pursue and secure revenue sources. Seek enhancement to the budget, pursue grant opportunities and collaborate with other agencies to develop shared projects.	2004-2007
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Goal #3 – Establish VR as the Primary Source on Information Relating to Vocational Training, Education and Employment of People with Disabilities.

OBJECTIVE 1	MEASUREMENT CRITERIA	TIMELINE
Ensure an effective Division Marketing Plan.	Re-evaluate the Division's current marketing plan for relevance and value. Institute a new operational plan based on the current identified needs.	2004-2005

OBJECTIVE 2	MEASUREMENT CRITERIA	TIMELINE
Identify the number of individuals with disabilities statewide and assess their needs. Consider this information in the development of programs and services offered.	IDVR will make a joint effort with the State Independent Living Council to fund a survey to obtain a reliable count of individuals with disabilities in Idaho along with some determination of their needs.	2004-2005

OBJECTIVE 3	MEASUREMENT CRITERIA	TIMELINE
Cultivate and maintain close collaborative relationships with our community partners.	Identify community partners and develop an action plan to begin cultivating and maintaining both new and old partnerships.	2004-2006

State Renal Disease Program

Mission

To provide financial assistance for lifesaving medical care and treatment to Idaho residents who are experiencing end-stage renal disease; and who do not have the financial resources to meet all their end-stage renal disease medical needs; and for

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whom work is not an option; or are employed, but unable to afford lifesaving kidney related expenses on a continuing basis.

Vision

No Idaho resident experiencing end-stage renal disease should be at risk of death solely due to the inability to financially secure timely and appropriate medical intervention.

Goal #1 – Provide Idahoans experiencing end-stage renal disease with a program for financial assistance for needs relating to life saving medical services.

OBJECTIVE 1	MEASUREMENT CRITERIA	TIMELINE
Achieve a minimum of 90% overall satisfaction rate by Idaho residents served in this program.	Utilize satisfaction survey results from study completed in calendar year 2003 as a baseline against which to compare the level of client satisfaction. The client satisfaction survey will be administered every other year due to the size of the caseload served by the Division through this program.	2004-2005

OBJECTIVE 2	MEASUREMENT CRITERIA	TIMELINE
To ensure adequate funding is directed to the operation of this program.	Continue to monitor the fiscal needs of the program and request legislative support, as necessary.	Ongoing

Methodologies

The Division strives to ensure that all Idahoans experiencing end-stage renal disease have access to financial assistance through this program by requiring that individuals demonstrate financial need to qualify for services. All potential clients are assessed to determine if they have the potential to be eligible for Vocational Rehabilitation Services and are referred to this program, if appropriate. This determination is based upon their ability to work. For those clients found eligible for the kidney program, only expenses directly relating to renal disease medical services or related goods are covered. To provide a high level of services, the Division works with the treating medical professionals to ensure that the most medically effective and least costly treatment modalities are the treatment of choice.

Program Status

IDVR completed a survey of the Division's Kidney Program in July 2003, mailing questionnaires to 136 current renal program clients. The survey contained seven questions asking clients about their level of satisfaction with the program, IDVR staff, and choice of providers. The survey response rate was 52% with 5% of the surveys being returned as undeliverable due to an incorrect address.

The results of the Idaho Division of Vocational Rehabilitation's 2003 Kidney Survey verifies overwhelming client satisfaction with services received through the program. Most of the clients responding indicated satisfaction with the program (97%) and believed that the overall quality of their life had been improved because of their interaction with IDVR (98%). In terms of client choice, clients who responded indicated satisfaction with their involvement in decisions relating to the choice of medical services (94%) and service providers (92%). Clients also indicated satisfaction with their treatment by IDVR staff (97%) and the timeliness of services (98%).

Services to People with Epilepsy

Mission and Purpose

The Epilepsy Foundation of Idaho (EFI) is committed to educating people with epilepsy and their families to assist with the problems associated with the disorder. In so doing, persons with epilepsy achieve a better and higher quality of life and the people of Idaho are served through economic savings and increased revenue. EFI works to achieve these goals through unduplicated, comprehensive programs of information and education, advocacy, prevention and the delivery of needed services. EFI serves people affected by the disorder, regardless of age or other criteria. Service response is provided according to individual needs and delivered in an integrated fashion, i.e. individual or family consultation/counseling (either face-to-face or telephone according to transportation limitations), groups, peer support, etc. and by utilizing all resources and appropriate materials, either written or visual. Needed and appropriate referrals are routinely utilized as part of services.

Role of IDVR

This is a flow-through appropriation with no direct programmatic implication for IDVR. A Strategic Plan is submitted to IDVR by EFI and is included with IDVR's Strategic Plan when submitted to the Division of Financial Management. The following is a summary of EFI's Strategic Plan. Please refer to the plan itself for greater detail.

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Goal #1 – Serve Idaho families, children and youth affected by epilepsy.

OBJECTIVES	MEASUREMENT CRITERIA	TIMELINE
<ul style="list-style-type: none">➤ Provide epilepsy consultation and outreach services to enable individuals and/or families to understand the disorder and be active members of their treatment team.➤ Advocate for individual rights.➤ Ensure pharmaceutical compliance in financial emergencies.➤ Facilitate the social and psychological support that other people with similar experiences can provide.➤ Schools are encouraged to develop understanding and acceptance of children with epilepsy. Seizure recognition and first aid training is provided.	Serve 2,000 per State Fiscal Year.	2004-2008

Goal #2 – Provide health education/training to public groups and to schools.

OBJECTIVES	MEASUREMENT CRITERIA	TIMELINE
<ul style="list-style-type: none">➤ Educate people about the causes of epilepsy to prevent seizure disorders.➤ Teach the public about safety and first aid as it pertains to seizures to reduce seizure-related injuries and avoid unnecessary ambulance calls and hospital visits.➤ Foster and encourage public understanding and acceptance of people with seizure disorders.	Provide outreach to 300 individuals per State Fiscal Year.	2004-2008

State Independent Living Council

Role of IDVR

This is a flow-through appropriation to support the Council mandated by **P.L. 102-569**. The Council operates independently except for certain fiduciary responsibilities carried out by IDVR.

The Council will submit its own Strategic Plan, under separate cover, directly to the Division of Financial Management.

Goal Achievement And Evaluation

Goal Achievement

The Division operates according to the normal standards of State Government, subject to legislative oversight. Since the Idaho Division of Vocational Rehabilitation operates within the realm of public service, its strategies involve a wide range of participants, all of whom play an important role in carrying out IDVR's mission.

Human Resources

The practice of IDVR is to recruit qualified rehabilitation personnel, as defined by the Rehabilitation Services Administration, with the skills, knowledge and experience that allow them to perform with the high standards necessary in a public/private competitive field. Professionalism is encouraged at all times with a commitment to the Division's mission and a shared vision among staff. Training is available so staff may stay current with standards and practices in the field. Management strategies that motivate and stimulate personnel performance are encouraged. Staff participation in developing the Strategic Plan is solicited so that the Plan is an all Division participation plan.

Cooperative Efforts

IDVR works closely with many public and private entities in fulfilling the need to prepare individuals with disabilities for employment. Formal cooperative agreements exist between IDVR and other state/municipal agencies that provide services complimentary to the goals of IDVR. The Division intends to expand its efforts to establish cooperative working relationships with other service providers and further pursue comparable benefit opportunities.

IDVR staff work closely with special interest groups targeted to serve specific disability populations or promote opportunities for individuals with disabilities. Division employees participate on many committees and councils. As active or ex-officio members, participation is encouraged for staff with specialized skills. The Division may participate in establishing task force groups that complement the mission and purpose of the Division. Staff participate in such groups as the Work Force Development Council, the Developmental Disabilities Council and many more. Participation at both State and Regional levels is encouraged to aid in the professional development of staff members and to provide IDVR information for decision-making purposes as well as to educate others about IDVR.

Advisory Boards

As established by Federal mandate, the State Rehabilitation Council (SRC) serves in the capacity to advise IDVR in establishing practices and standards that best serve the needs of individuals with disabilities. IDVR works closely with the SRC to determine

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client satisfaction, identify counselor needs and review methods, so the Division can improve or enhance services.

In the cooperative efforts between IDVR and other entities, staff participates on other State/community advisory boards targeting specific disability issues. The State Mental Health Advisory Board, the School-Work Transition Projects, Developmental Disabilities Council, Assistive Technology Board, University of Idaho Counseling Board, State Independent Living Council, Council on Exceptional Children, Idaho Association of Community Rehabilitation Programs, and Public Transportation Interagency Working Group are examples of the continued efforts of IDVR to work cooperatively with other entities in achieving its goals.

Customers and Vendors

The intent of IDVR is to work closely with its customers and vendors in establishing quality performance throughout the State. The Division works closely with vendors to ensure quality services and reasonable prices, and strives to work with Federal programs (Social Security Administration, Medicaid, Medicare, etc.) to provide comparable benefits or cost recovery, whenever possible. Certification of many vendors is required to promote continuity and quality. IDVR works continuously to find new and innovative ways to provide necessary quality services to clients with a minimal impact to taxpayers.

Analysis and Surveys

Every effort is made by the Division to keep abreast of issues concerning services to people with disabilities who are seeking employment. The Division continues to survey special topics and to analyze the findings in an attempt to adjust to the needs of the clients served. The Strategic Plan identifies several areas where the Division hopes to complete studies or ongoing monitoring of services to clients.

IDVR will work with advisory councils, special interest groups, as well as review in-house data to complete the studies. Data is collected on case services, personnel, employment, client satisfaction, etc. and used in annual reviews, administrative reports and special topic analyses determined necessary for evaluation. Reviews determine those areas that are productive and areas for potential improvement. IDVR may also commission a specific study or establish a task force to review results and make recommendations, when appropriate.

Plans of Operations

The Division's State and Strategic Plans serve as blueprints for establishing goals and maintaining compliance to standards set forth by Federal and State regulations. Managers are responsible for developing specific activities and action plans for achieving the objectives pertaining to their specific areas of responsibility. These plans are distributed throughout all field offices and are supplied as a guide to the mission and

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direction the Division intends to pursue. The Division believes in decentralizing appropriate tasks to those areas closest to the decision-making. Public comment is solicited on all plans so that the Division is provided input regarding public interest in Vocational Rehabilitation Services. These plans are monitored frequently for compliance and status of completion.

Other Resources

Division Staff use a variety of tools to achieve and monitor performance. Operations manuals, special training, survey instruments, performance planning, flow charts, regularly scheduled staff meetings and statewide management meetings are just a few of the tools used to promote the progress of activities. The Division is also in the process of upgrading its Information Technology Infrastructure in an effort to enhance staff performance.

Evaluation Strategies

IDVR utilizes a variety of evaluation strategies in the management of the Strategic Plan as well as the management of the general operation of the Division. With the assistance of the Field Services Bureau Chief and thirteen middle management staff (including Regional Managers), the Administrator ensures goals and objectives are monitored for successful completion. The Division attempts to incorporate current management strategies and methodologies, whenever appropriate. The primary approaches utilized to evaluate the completion of assignments are:

Monitoring

Division Management

The Planning and Evaluation Manager is assigned to monitor the Division's progress toward meeting the goals of the Strategic Plan. Quarterly, the Central Office Managers, Field Services Bureau Chief and the Administrator meet regarding the progress of their assigned goals and objectives of the Plan. The Plan is reviewed for compliance, applicability, resources, status and necessity for revision. Due to the dynamics in Federal and State legislation, some revision may be necessary due to budgetary or legislative changes. The Planning and Evaluation Manager monitors the Plan to decide which (if any) elements may be likely to facilitate or impede progress toward completing the Plan. Any problems in completing the Plan are discussed with Central Office Management to determine recommended solutions. The Planning and Evaluation Manager reports the status of Plan completion to the Division's Administrator.

IDVR has recently begun to reorganize the Divisional Management structure to more effectively utilize resources. The Administrator has direct authority over the Field Services Bureau, Fiscal Operations, Information Technology, Human Resources, and Planning and Evaluation. Each functional area has been designated particular

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objectives in the Strategic Plan. The Managers of these areas are responsible for ensuring the objectives are completed in the time frames specified. The Bureau Chief and Managers may exercise different management practices in achieving their particular goals including the development of activity plans for certain projects. The nature of the activity may warrant the type of management used. Data is maintained electronically for use in quality assurance reviews, client surveys and special program reviews.

Regional Management

Under the direction of the Field Services Bureau Chief, eight Regional Managers monitor the progress of activities at a regional level. Performance goals are established annually with the Field Services Bureau Chief and Regional Managers are responsible for working closely with their staff to achieve these goals. Regional Managers continually evaluate staff performance. The Planning and Evaluation Manager coordinates field office audits. To review overall operations and case service provision, each regional office is reviewed every other year. Special reviews are available, when necessary, due to personnel changes or special administrative requests.

Evaluation strategies and methodologies used by the Division intend to determine the successful completion of the goals specified in the Strategic Plan. Compliance with Federal and State planning assignments and measurement of Federal and State Performance Standards are performed annually. The approach to evaluation by the Division is to determine the impact of services and overall performance.

Establishing and Revising Goals

In the review and monitoring of the Strategic Plan, management will consider the applicability of the activity to the continued execution of the Plan. Management will also consider any changes in the internal and external environments that create a need for goal changes. Changes in the Strategic Plan require the approval of the Administrator who then notifies the Department of Financial Management.

Unanticipated events may dictate changes to the Plan such as the changes made to the Federal Rehabilitation Act in 1998. Changes in Federal guidelines may require adjustment of services, costs and regulations.

External Issues Impacting IDVR

The field of Vocational Rehabilitation is dynamic due to the nature and demographics of the clientele served and the variety of disabilities addressed. Challenges facing the Division include:

Information Technology

IDVR is dedicated to keeping current in the latest trends and in training Vocational Rehabilitation Counselors and staff. In addition, IDVR employs an Information Technology staff to develop innovative ways to utilize technology in carrying out its mission.

Changes in Medical Industry

Continuing advancements in the medical industry as well as changes relating to insurance and financial benefits pose complex questions for the Vocational Rehabilitation Counselor. This is especially true in determining eligibility and services. Many IDVR Counselors and Managers are involved with health and disability-related organizations to keep abreast of these changes.

Idaho's Economy

Idaho has seen tremendous growth in its population in the past ten years. This could impact the availability of services to Idahoans. Idaho has also seen a dramatic change in its job market; away from agricultural toward more service, hi-tech and professionally oriented jobs. The environment has always been competitive for IDVR clients. The growth in population as well as a depressed job market has increased the competition for jobs. IDVR recognizes this and strives to develop relationships within the private sector and other public entities in an effort to increase employment opportunities for its clients.

Private Rehabilitation Programs

The presence of private rehabilitation programs has created an environment that is competitive in nature. IDVR feels confident that the services it provides to those with disabilities are more extensive and are directed to a much larger customer base. To communicate this effectively to the public, IDVR has made the marketing of its services a high priority.

Political Climate

The political elements are by far the most difficult for IDVR to overcome since they are essentially out of the control of the Division. At the State level, the Division is subject to legislative action regarding annual budget requests including service dollars and personnel expansion. Any legislation pertaining to service provision either by public or private sectors will have a definite impact on Division services and service providers.

IDVR is also affected by decisions made at the Federal level. The direction Congress chooses regarding reauthorization of the Rehabilitation Act will impact the future of Vocational Rehabilitation in Idaho. Federal funding decisions (e.g., training grants, block grants, reductions, etc.), program deletions, changes in health care and

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employment standards and practices are areas that would impact the Division's planning process.

All staff of the Idaho Division of Vocational Rehabilitation take pride in providing the most effective, efficient services available to individuals with disabilities seeking employment. Key people must be focused on precise issues and the internal and external environments must be linked advantageously. Management is committed to continued service to the people of Idaho. IDVR's Strategic Plan promotes goals and objectives, which will serve Idahoans with disabilities in the best manner possible.

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A P P E N D I X I

Status of IDVR Strategic Plan (2003-2007)

In January of 2004, a team was established to review the process for strategic planning within the Division and to review the 2003-2007 Strategic Plan. This team consisted of administrative staff, Regional Managers, and SRC representatives. In reviewing objectives to be completed in calendar year 2003, the results listed below were obtained.

Goal 1: Continually Improve The Division's Performance

OBJECTIVE 1	
Enhance services for those with Mental Illness (MI); those in Adult Correction Programs; and in our School-Work Transition Program. Achievement Status: Program evaluations have been completed for the Mental Illness, Adult Correction, and School Work Transition Programs. The results are being utilized for continuous program improvement. This objective has been completed.	2003-2007

OBJECTIVE 2	
More fully utilize the expertise of the Counselor Council. Achievement Status: The Division has re-organized the Counselor Council and it has been renamed to better reflect the inclusion of all Field Services staff. The name of the council is now the Field Services Employee Council (FSEC). The FSEC has begun to meet on a regular basis and have developed a mission statement clarifying the scope of its responsibilities. Furthermore, the FSEC has been charged by the Administrator with exploring several major issues affecting the Field and provide formal recommendations to Management, when requested.	2003 - 2004

OBJECTIVE 3	
Focus on recruitment and retention of qualified staff. Achievement Status: Activities conducted to fulfill the recruitment piece included: Contact with program directors from the University of Northern Colorado, Utah State University, University of Idaho, University of Arizona, San Diego State University, Montana State University, University of Wisconsin-Stout, Minnesota State University and Portland State University; attendance at a career fair at Utah State University; attended educational summit in Denver and met with numerous educators for recruitment contacts; visited students at University of Idaho, University of Northern Colorado, Utah State University and San Diego State University; placed recruitment binders on file with career centers at Utah State University, San Diego State	Ongoing

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<p>University, and the University of Northern Colorado; and utilized WWW to announce vacancies with Idaho Division of Human Resources, University of Wisconsin-Stout, Montana State University, Utah State University and San Diego State University.</p> <p>For retention, the Human Resource Manager researched salary and turnover for Vocational Rehabilitation Counselors (VRCs) and Office Supervisor II positions (benchmarked against state statistics) to support increases; increased entry level salaries of new VRCs; incorporated adjustments in the latest pay package for salary compression issues; collected feedback from Field Services Employee Council on career path and salary for entry level positions and increased training opportunities for counseling staff, focusing on new counselor training such as Case Load Management, Critical Case Questioning and New Counselor Orientation. This objective has been met.</p>	
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OBJECTIVE 4	
<p>Enhance revenue opportunities for all VR programs.</p> <p>Achievement Status: This objective remains and has been moved to Goal #2 as Objective 4 because it fits more closely with this goal. VR has entered into a contract with the Idaho Association of Community Rehabilitation Programs (IACRP) to provide the federal share funding to the IACRP for projects outlined in the contract. In exchange, VR received the state portion of the funds from the IACRP, which increased the Division's matching funds and decreased the MOE deficit.</p>	2003-2007

OBJECTIVE 5	
<p>Serve individuals from minority backgrounds.</p> <p>Achievement Status: IDVR has continuously monitored the numbers of individuals with disabilities served from minority backgrounds and has met the Federal Performance indicator for service rate. The Division will continue to serve individuals with disabilities from minority backgrounds who require our services as a matter of course and does not believe this objective should continue to be part of the Strategic Plan.</p>	Ongoing

OBJECTIVE 6	
<p>Exceed a 75% client employment retention rate.</p> <p>Achievement Status: The Division has for several years assessed the employment retention rate of individuals rehabilitated into competitive employment and earning at least minimum wage computed on a twelve-month basis. Overall, the Division has met this objective. The Division will continue to monitor the client employment retention rate, but it was determined that this objective should not continue to be part of the Strategic Plan.</p>	Ongoing

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OBJECTIVE 7	
<p>Improve core business processes and infrastructure through the leveraging of Information Technology, resource planning, and business processes.</p> <p>Achievement Status: The Division has installed an automated case management system and a Financial Accounting system, which have improved efficiency in the Field and Fiscal. The Division has made tremendous strides in assessing core business processes and making changes to ensure efficiency. Due to the ongoing nature of this objective, the Division believes it should no longer be part of the Strategic Plan.</p>	Ongoing

OBJECTIVE 8	
<p>Strengthen existing service delivery system statewide with emphasis on rural areas.</p> <p>Achievement Status: The Division has researched the possible repositioning of sub-offices and staff, using updated census data and information gleaned from a population study completed by the Division. Information Technology has investigated options for improved communications and equipment has been installed and contracts initiated to accomplish this. This objective has been completed.</p>	2003-2007

OBJECTIVE 9	
<p>Establish a comprehensive Division Safety and Loss Control program.</p> <p>Achievement Status: The Division successfully developed and implemented a Safety and Loss Control program and continues to assess its efficacy and will make changes, as needed. This objective has been accomplished.</p>	2003-2004

OBJECTIVE 10	
<p>Improve transportation options to enhance employment opportunities for individuals with disabilities through involvement with the Public Transportation Interagency Working Group (IWG).</p> <p>Achievement Status: The Division has had a representative attend and participate in meetings of the IWG and serve on sub-committees to better address statewide VR client transportation needs for several years. This objective has been accomplished.</p>	2003-2007

OBJECTIVE 11	
<p>Establish a Records Retention Plan for the Division.</p> <p>Achievement Status: The Division has developed and implemented a Records Retention Plan and continues to assess its efficacy and make changes as needed. This objective has been completed.</p>	2003-2005

OBJECTIVE 12	
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<p>Reflect a positive attitude and willingness to work with the Blue Ribbon Committee.</p> <p>Achievement Status: The Division diligently sought opportunities to network with members of the Blue Ribbon Task Force and provide information about the Vocational Rehabilitation program in Idaho. During the past year, we received several inquiries specific to services provided by the Division and provided the requested information in a timely fashion. This objective has been completed.</p>	2003-2004
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OBJECTIVE 13	
<p>Preserve financial resources for Division functioning given economic downturn.</p> <p>Achievement Status: The Division reviewed the order of selection plan as put forth by the State Rehabilitation Council. IDVR requested a Maintenance of Current Operations (MCO) budget; reviewed IDAPA payment policy; and reviewed business practices to reduce operating expenses. Changes were made where prudent. This objective has been completed.</p>	2003-2005

OBJECTIVE 14	
<p>Establish statewide consistency for orientation and training to insure continuity among all levels of staff.</p> <p>Achievement Status: This Objective has been moved to Goal 1 and listed as Objective 4 as it better relates to improving the Division's performance. We continue to work on this objective.</p>	2003-2005

Goal 2: Pursue Relevant Program Expansion To Meet Customer Needs.

OBJECTIVE 1	
<p>Ensure the complete and effective implementation of Gemini and Famis statewide, fully utilizing current staff.</p> <p>Achievement Status: Develop evaluation instruments to assess the overall effectiveness of these systems in terms of staffing, process and policy; identify skill gaps and provide adequate training to address these; make necessary adjustments to ensure maximum efficiency and effectiveness. The Division will move the function of creating bills in Gemini from Fiscal to the Field as originally planned. This will improve the overall efficiency of the bill payment process by placing more responsibility and control in the field.</p>	2003-2007

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OBJECTIVE 2	
Strengthen and expand the Juvenile Corrections Program. Achievement Status: The Division recently entered into an agreement with the Department of Juvenile Corrections (DJC) to work with identified violent and youthful offenders. The Division will assist to identify and provide services intended to reduce the recidivism rate through addressing their unique disability and employment issues. IDVR will be serving all VR eligible youth in the Canyon County area who meet the criteria for the grant and are referred by DJC.	2003-2005

OBJECTIVE 3	
Investigate the rehabilitation needs of Idaho's aging population with disabilities. Achievement Status: The Division completed a population and caseload study of individuals served indicating that the Division is currently adequately serving this population. The Division has also developed a strong working relationship with the Commission on Aging and utilizes their expertise when necessary. The objective has been completed.	2003-2006

OBJECTIVE 4	
Provide adequate Assistive Technology resources statewide. Achievement Status: A survey was conducted to ascertain the informational needs of VR staff. The Division then worked closely with the Assistive Technology Project at the University of Idaho in providing extensive assistive technology information to VR staff statewide.	2003-2007

OBJECTIVE 5	
Ensure VR staff has basic knowledge of SSA/Ticket To Work. Achievement Status: The Field Services Bureau Chief and an assigned Regional Manager researched and remained current with information regarding not only the scheduled roll out of the Ticket, but also information that has been available since the Act and regulations were published. Regular discussions have occurred with the Regional RSA representative as well as with other Region X States on the Ticket. Several Managers attended Maximus training in Boise. The Division completed paperwork to become an Employment Network for Ticket. Trained Regional Managers about the Ticket To Work program during a management meeting and then trained all Field staff at break-out sessions during the Division's annual In-service in October, 2003, just prior to Idaho's scheduled rollout date. The Deputy Chief of Field Services attended a national Ticket to Work training in Washington, D.C. in August 2003. The Division continues to work on developing a fiscal tracking system and plans to have this completed by the end of 2004.	2003-2004

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OBJECTIVE 6	
Cultivate and maintain close collaborative relationships with our community partners. Achievement Status: This objective remains in the Strategic Plan. However, it has been moved to Goal 3 as Objective 3 because it fits more closely with this goal.	2003-2005

Goal 3: Establish VR As The Primary Source Of Information Relating To Vocational Training, Education And Employment Of People With Disabilities

OBJECTIVE 1	
Ensure continued awareness of the value of the Vocational Rehabilitation Program with the State Board of Education. Achievement Status: The Division has provided information to the Board on a regular basis. Additionally, a quarterly report is provided to the Board outlining the progress the Division has made toward meeting its performance goals. Board members have been invited to the Division's yearly In-service. This objective has been met.	Ongoing

OBJECTIVE 2	
INCREASE AWARENESS IN THE OFFICE OF THE GOVERNOR OF THE VALUE OF IDVR'S PARTICIPATION IN IDAHO WORKS ONE-STOPs WITH REGARDS TO SERVING PERSONS WITH DISABILITIES AND STRENGTHEN THE RELATIONSHIP WITH THE STATE WORKFORCE DEVELOPMENT COUNCIL. Achievement Status: The Division has maintained a good working relationship with the Office of the Governor and has participated on several committees representing the interests of individuals with disabilities. Ruth Rathbun, the Chairman of the State Rehabilitation Council has been an active member of the State Work Force Development Council and as such, has ensured the interests of IDVR as well as individuals with disabilities are well represented. This objective has been met.	Ongoing

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OBJECTIVE 3	
Ensure the availability of information about employment and disability issues. Achievement Status: A review of informational activities in the Field revealed that VR offices throughout the State have developed strong working relationships with their contacts within Health and Welfare as well as with other agencies where the interests of individuals with disabilities are served. Regional Managers and Vocational Rehabilitation Counselors alike present information about the services the Division has to offer, as needed. This objective has been met.	2003-2006

OBJECTIVE 4	
Ensure an effective Division Marketing Plan. Achievement Status: Many of the goals outlined in the comprehensive Marketing Plan the Division developed in 1999 have been instituted. The Division plans to revisit the goals that have not been met to determine their relevance to the functioning of the Division currently. The plan will be discussed at the next Management meeting in September and it will be determined at that time if there are remaining goals that the Division needs to concentrate on and base the new operational plan on that information.	2003-2004

OBJECTIVE 5	
Establish rehabilitation specialty areas. Achievement Status: Each of the Regional Manager's have been assigned rehabilitation specialty areas and they remain available for consultation in planning and training activities on an as needed basis. The objective has been met.	Ongoing

OBJECTIVE 6	
Ensure a continuing close working relationship with the State Rehabilitation Council (SRC) and support the SRC's efforts in terms of their advocacy for IDVR and its mission. Achievement Status: The Division has developed a strong working relationship with the State Rehabilitation Council (SRC). An appointed Division representative attends each of the SRC meetings and provides information about areas of interest to the SRC. Additionally, the Division collaborates with the SRC in the development of their client satisfaction surveys and assists with that process. At each quarterly meeting, the Division's Administrator provides the SRC with an update of the Division's activities. The Division, jointly with the SRC, conducted town meetings around the state to solicit input from the public about the Division's State Plan and other issues of interest. This objective has been met.	2003-2007

A P P E N D I X II

**Glossary of Terms Specific to the
Vocational Rehabilitation Industry**

Administrative Costs: Expenditures incurred in the performance of administrative functions including expenses related to program planning and development; financial management and budgeting; information systems and data processing; public information; technical assistance to other State agencies; State Rehabilitation Council expenses; administration of personnel and training; administrative salaries; costs incurred in conducting reviews; and legal expenses.

Client: An individual who applies or is eligible for Vocational Rehabilitation services.

Community Rehabilitation Program: A program that directly provides or facilitates the provision of services to individuals with disabilities to enable those individuals to maximize their opportunities for employment.

Community Supported Employment (CSE): Competitive work in integrated work settings for individuals with the most significant disabilities for whom competitive employment has not traditionally occurred; or for whom competitive employment has been interrupted or was intermittent as a result of a significant disability; and who, because of the nature and significance of their disability, need intensive supported employment services for work, and extended services after the transition to long-term support in order to perform such work.

Comparable Benefits: Benefits that are provided or paid for, in whole or in part, by other Federal, State or local public agencies, by health insurance, by employee benefits available to the individual at the time needed and are commensurate to the services that the individual would otherwise receive from IDVR.

Competitive Employment: Work in the competitive labor market that is performed on a full-time or part-time basis, in an integrated setting and for which the individual is compensated at or above the minimum wage, but not less than customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

Customer: Includes both clients and employers.

Decentralization: A management concept, which encourages decision making to be accomplished where the authority, responsibility, and accountability reside.

Disability: A physical and/or mental impairment that results in a substantial impediment to employment.

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Eligible Individual: An individual is eligible for assistance if the individual has a physical or mental impairment which constitutes or results in a substantial impediment to employment and requires Vocational Rehabilitation services to prepare for, secure, retain or regain employment; and who can benefit in terms of an employment outcome unless the counselor can demonstrate by clear and convincing evidence that such individual is incapable of benefiting from Vocational Rehabilitation services in terms of an employment outcome or SSI or SSDI recipients who intend to achieve an employment outcome.

Employment Outcome: Entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market, supported employment, or any other type of employment including self-employment that is consistent with an eligible individual's abilities, capabilities, and interests and informed choice.

Extended Services: Services needed to support and maintain an individual with the most significant disability in supported employment, provided at a minimum, twice monthly on or off the work site, that are needed to maintain employment stability. Said services are provided by a party other than the State/Federal VR Program. Also called ongoing support services or supported employment services.

General Program: Refers to Title I of the Rehabilitation Act of 1973 and its Amendments.

Integrated Setting: A setting typically found in the community in which clients interact with non-disabled individuals, other than non-disabled individuals who are providing services to those applicants or eligible individuals, to the same extent that non-disabled individuals in comparable positions interact with other persons.

Integrated Work Setting: A setting in which the majority of people, excluding service providers, with whom clients interact, are individuals without disabilities.

ITRMC: The Governor's Information Technology Resource Management Council.

Most Significant Disability (MSD): An individual with the most significant disability(ies) is one with a physical or mental impairment, which results in a substantial impediment to employment and for whom the impairment seriously limits two or more functional capacities; and whose vocational rehabilitation can be expected to require multiple core Vocational Rehabilitation services (services that reduce the impact of functional limitations to achieve an employment outcome) over an extended period of time.

One-Stop Career Center System: A coordinated information and service delivery system for individuals seeking first, new or better jobs and for employers seeking to build a world-class workforce. The idea is that individuals will be able to go to one, easy to locate facility in order to find employment-related information.

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Physical or Mental Impairment: Medically or psychologically diagnosable physical or mental condition.

Rehabilitation Success Rate: The percentage of successful closures compared to all closures after having received services from IDVR.

School Work Transition: Services provided to students with disabilities who are eligible for Vocational Rehabilitation in cooperative programs with Special Education Personnel in each school district. The transition effort between the Idaho Division of Vocational Rehabilitation and Special Education focuses on transition from the secondary school system to adult/life services. Transition refers to that period encompassing high school, graduation, and post-secondary preparation leading to employment.

SGA Level: Substantial Gainful Activity. A term used by the Social Security Administration. It is the performance of significant work for pay or profit with average countable monthly earnings at a level determined by the Social Security Administration allowing for cessation of Social Security Disability Insurance (SSDI) or reduction of Supplemental Security Income (SSI) benefits.

Significant Disability (SD): An individual with a significant disability(ies) means one with a physical or mental impairment which results in a substantial impediment to employment and for whom the impairment(s) seriously limit one or more functional capacities in terms of employment outcome; and whose Vocational Rehabilitation can be expected to require multiple Vocational Rehabilitation services over an extended period of time.

Supported Employment Services: Services consist of the provision of skilled job coaches at the work site, job development and placement, social skills training, observation or supervision, follow-up services to reinforce and stabilize the job placement, facilitation of natural supports at the work site, and any other service needed to assist the individual in entering or maintaining integrated, competitive employment. Also called ongoing support services or extended services.

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Idaho State University
Strategic Plan 2002-2005
June 29, 2004

Executive Summary 2004

The Idaho State Board of Education's 2000-2005 Statewide Strategic Plan provides direction for postsecondary programs throughout the state. The SBOE plan consists of four goals, forty-six objectives, and eleven performance measures. Building on this, the Idaho State University (ISU) 2000-2005 Strategic Plan added six complementary, institution-specific goals and associated strategies and measures. While retaining the basic structure of the 2000-2005 plan, the 2004 revision of ISU's plan updates report figures and institutional vision, reflecting the new context of the budget reductions. We note the increased use of new, sometimes ad hoc administrative structures by the institution to handle additional duties and work flow. Those entities often include participation by other external agencies or institutions (Institute for Nuclear Science and Engineering, Institute for Emergency Management Training, Idaho Center for Disability Evaluation and Research, etc.) and are signs of institutional responsiveness to state and national needs. ISU's six complementary goals remain:

ACCESS. Continue to provide access to opportunities that maximize student success and learning by offering relevant programs and services to meet student needs. In particular, provide programming in the health professions statewide in fulfillment of ISU's mission.

LEARNING. Provide an effective and efficient learning environment that serves students of varied ages, abilities, needs, and backgrounds.

RESEARCH. Conduct research consistent with the state, regional, and national public service missions and the University's undergraduate and graduate programs.

SERVICE. Provide quality educational services to support economic development, continuing education, and access to University-sponsored training clinics, facilities, and events.

FACULTY. Hire and retain a faculty that sustains a high quality-learning environment through effective teaching, productive scholarship, and useful public service.

SUPPORT. Manage University resources to provide appropriate staff and support while maintaining a high quality-learning environment.

Statewide and institution-specific goals are accompanied by a suite of objectives and measures that serve to direct the institution and document its progress toward achieving those goals.

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Strategic planning at Idaho State University is ongoing, focused, and practical. It is done both as a tool of internal management and in response to external requests. Past ISU Strategic Plans have reflected new challenges, evolving demographics, a growing vision, and cutting edge solutions. Because planning is ongoing and dynamic, ISU's Strategic Plan represents the institution's goals and objectives at one point in time.

Historic and Current Perspectives of Idaho State University

Idaho State University was founded in 1901 as the Academy of Idaho. The presence of the Academy provided the first postsecondary educational opportunities for citizens of Eastern Idaho, especially in technical and mechanical education. The Academy became Idaho Technical Institute in 1915, continuing its mission as what was effectively a community college. The introduction of Pharmacy in 1920 led to baccalaureate degree granting curricula and set institutional direction in the health professions. In 1927, the Institute became the University of Idaho Southern Branch. The institution was established as Idaho State College in 1947 with three divisions: Liberal Arts, Pharmacy, and the School of Industrial Training. In 1963, the college became Idaho State University. Today, Idaho State University is a broad-based regional public doctoral university, providing a wide range of educational services to citizens of the state and the intermountain region.

Idaho State University has experienced tremendous growth in scope, sophistication and size. The University employs approximately 600 full-time faculty members and a large number of part-time faculty. Growth over the last five years has been steady, with an increase in enrollment from 11,000 to 13,000 (13,352 in 2002-2003). Degree offerings range from certificate to doctoral. In cooperation with other institutions, ISU has founded and expanded outreach sites in Idaho Falls, Twin Falls, Coeur d'Alene, and Boise to meet the growing needs of Idaho's citizens. The University also delivers comprehensive and creative programs using distance-learning technology. Sustained and significant research is an essential component of the institution's academic and public service programs. With the continual increase in research activity and graduate enrollment, Idaho State University strives to achieve the Carnegie Classification Doctoral/Research-Extensive. The ISU campus is also being transformed with new construction, additions, and renovations. Recently completed facilities include on-campus housing to accommodate students with families, the medical and dental residents' facility, the renovation of the physical science building, and the Bennion Student Union in Idaho Falls. Current university initiatives include partnering on new facilities in Twin Falls and Boise and a new multipurpose Rendezvous Building in Pocatello (under construction). The University has recently completed year four of a five-year capital campaign--its first ever. To date, the goal of \$102 million for academic enhancement, scholarship endowment, and a magnificent performing arts center has been surpassed with \$128.5 million raised in gifts and pledges. Construction on the L.E. and Thelma Stephens Performing Arts Center began in July 2002 with construction to be completed October 2004.

Mission

As a regional public Doctoral/Research--Intensive University, ISU meets the needs of a diverse population with certificate, associate, baccalaureate, master's and doctoral degree offerings, as well as family practice, dental, and pharmacy residency programs. Through programs in pharmacy and health-related professions, Idaho State University is the state's lead institution for education in the health professions and related biological and physical sciences. The preparation of teachers, administrators, and other education professionals is another primary emphasis at ISU. Programs in business and engineering respond to a variety of current and emerging demands within the state and region. ISU is committed to maintaining strong arts and sciences programs as independent, multifaceted fields of inquiry and as the basis of other academic disciplines. The University offers a substantial array of graduate programs and is a Center for the Doctor of Arts degree, designed specifically to prepare college teachers. As a part of its community college function, ISU provides students high quality professional education and technical training in response to the needs of private industry.

Vision

Fundamental to Idaho State University's Strategic Plan is the commitment to meet the evolving needs of the state by providing accessible, high quality education to the diverse citizenry of its region. The University's broad vision used in constructing the current Strategic Plan consists of the following:

- Enrollment and Quality-- Within the constraints of the current flat and austere budget, the University will continue a course of modest growth (where capacity exists) while increasing the quality of its student body. Rather than close programs, the University has chosen to offer fewer class sections.
- Growing Sophistication-- Across its program array, the University has been increasing the sophistication of its offerings. By increasing the competitive research dollars received, and enrollment in doctoral programming, the institution will achieve Carnegie classification Doctoral/Research Universities-Extensive. Research and scholarly activity will grow significantly concomitant with its graduate programs, meet state and national needs, and achieve regional and national stature in selected areas. As entry-level and first professional degree expectations escalate across the health professions, ISU will see more of those programs at the master's and doctoral level. Its College of Technology is the first in Idaho to build offerings at the baccalaureate and graduate levels. ISU will continue innovative links between its Colleges of Technology and Engineering to create new programming. With the change in mission of the Idaho National Lab to nuclear science, ISU will expand its programming in this area and continue its leadership.

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- Continuing Efficiency-- As the institution continues its quest for additional resources, it will operate at the high level of efficiency that has marked the past decade.
- New Revenues-- ISU will strive to develop new sources of revenue. This includes the capital campaign, increased efforts in annual fund raising, new initiatives in federal line item appropriations, and the revitalization of summer school and continuing education.
- Mission and Outreach-- Guided by its mission, the University will continue to deliver its health profession programs throughout the state of Idaho. Examples of such efforts include a major initiative in the Boise area, developments in ISU's Institute for Rural Health and Telehealth project, efforts to produce mental health workers, and a review of our current and potential medical education programs.
- Institutional Recognition—In the new millennium, the University is building on its Centennial Celebration to ensure that it is recognized locally, statewide, and nationally for the high quality of its educational programs and value of its services and research. A recent initiative in integrative marketing will assist this effort.

ISU's Environment

Demographics

ISU's immediate service area is eastern Idaho. Traditionally, seventy percent of ISU students come from Bingham, Bannock, and Bonneville counties. Roughly twenty-seven percent come from across the state and the remainder from forty-seven states and forty-one foreign countries. As the largest employer in Bannock County, ISU's closest ties have been to Pocatello and the surrounding community. Increasingly, however, outreach efforts have created a statewide presence for ISU. The largest of these is the program in Idaho Falls, currently serving approximately 2,600 students (as the result of cutbacks, 2,365 in 2002-2003). Other outreach programs serve Boise, Twin Falls, Lewiston, and Coeur d'Alene.

Eastern Idaho is largely rural with a low population density. The population of the region is growing slowly. These factors, combined with higher population densities and growth rates in Ada and Canyon counties, imply that the population center of the state is moving westward. The following table illustrates the population distributions:

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POPULATION TRENDS IN IDAHO

	1990	2000	% change 1990-2000	numeric increase
Idaho	1,006,734	1,293,953	28.5	287,204
Ada County	205,775	300,904	46.2	95,129
Bannock County	66,026	75,565	14.4	9,539
Bingham County	37,583	41,735	11.0	4,152
Bonneville County	72,207	82,522	14.3	10,315
Canyon County	90,076	131,441	45.9	41,365

In the past decade, Idaho has seen steady growth in the number of high school graduates and slight growth in the rate at which they pursue postsecondary education. Both the growth of the college age population and strategic recruitment efforts helped ISU grow from 9,139 to 12,666 in the same period (13,352 in 2002-2003). Projections for the next decade show a slower growth rate of high school graduates, with much of that growth predicted for Ada and Canyon counties. The pool of recent high school graduates in ISU's traditional service area will be essentially flat. Opportunities for continued growth include increasing matriculation rates, expanding services and service area, and improving retention rates.

While rising, Idaho's matriculation rate is well below that of the nation (average matriculation rate of 48% in Idaho versus a national average of 65%). It is important for Idaho and Idaho State University that the matriculation rate rise. Attracting more high school graduates, Hispanic and Native American students, and adult learners are essential. Strategies for educating more of Idaho's college bound population in Idaho should be considered as well.

Human Resources

In addition to the approximately 600 full-time faculty, ISU is served by over 100 part-time faculty and nearly 1,000 affiliate faculty. Of the full-time academic faculty, 309 are tenured (new applied technology faculty hired after 1993 are generally not currently eligible for tenure). Despite noncompetitive salaries, the retention of quality faculty at Idaho State University has been extremely high: 5% have been here more than 30 years; 14% have been here 21-30 years; 28% have been here 10-20 years. Salary equity funds provided in the initial 2001-2002 budget began to address long-standing salary issues at ISU. Unfortunately, the subsequent budget holdbacks resulted in a FTE reduction of 27.5 faculty and 34.1 staff positions. This reality, followed by a second year of no salary increases, results in significant challenges in recruiting and retaining high quality faculty and staff.

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IDAHO STATE UNIVERSITY
 FULL-TIME EMPLOYEE TURNOVER RATES
 OCTOBER 1, 2000 TO SEPTEMBER 30, 2001

Employee Type	Number On October, 2000 Payroll	Total Number Terminated	Number Retired	Percent Terminated
Faculty	543	35	6	6.45%
Exempt	311	33	6	10.61%
Classified	556	44	3	7.91%
All I.S.U.	1,410	112	15	7.94%

NOTE: The number retired is included in the number terminated.

IDAHO STATE UNIVERSITY
 FULL-TIME EMPLOYEE TERMINATIONS
 REASONS FOR TERMINATION
 OCTOBER 1, 2000 TO SEPTEMBER 30, 2001

Employee Type	Number Deceased	Number Dismissed	Number of Expired Contract s	Number Laid Off*	Number Resigned	Number Retired	Total Number Terminated
Faculty	0	1	0	0	28	6	35
Exempt	0	1	1	0	25	6	33
Classified	1	1	0	0	39	3	44
ALL I.S.U.	1	3	1	0	92	15	112

NOTE: INCLUDES FULL-TIME, PERMANENT EMPLOYEES WHO HAVE BEEN EMPLOYED AT ISU FOR AT LEAST ONE YEAR. THE FOLLOWING EMPLOYEES ARE EXCLUDED: GTAS, FAMILY MEDICINE AND PHARMACY RESIDENTS, AND POST-DOCTORAL FELLOWS.

*DOES NOT REFLECT FY 2001-2002 LAYOFFS DUE TO INSTITUTIONAL BUDGET REDUCTION.

Economy

The economy is a key factor in attracting and retaining both recent high school graduates and adult learners. Although tourism and call centers are growing as an economic element, ISU's current service area is heavily involved in "traditional" enterprises such as agriculture, phosphate mining and processing, food processing, and rail transportation. In many cases, postsecondary education is not essential at the entry-level in these fields. When the economy is strong, these businesses and industries offer attractive beginning opportunities. However, these industries alone likely cannot fully support the future development of the region. While Pocatello is home to electronics and medical manufacturing plants and, by extension, high tech opportunities through the INEEL, these enterprises have not yet achieved the "critical mass" evident in the

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Boise area. In 2001-2002, an economic downturn resulted in a factory closure and substantial layoffs at ISU, other state agencies, and 2 major employers in the area.

Competition

Expanding services and service area in an increasingly competitive postsecondary education environment will be a challenge. Competitive forces are evident on at least three fronts. First, there are other state public institutions. They, too, seek to develop, and they face issues similar to those of this institution. ISU competes with them for students and diminishing state resources. The situation is complicated by the fact that, in many cases, ISU is also a partner with them. The alliances in Idaho Falls, North Idaho, and South Idaho illustrate this. The transformation of Ricks College into BYU-Idaho has created yet another competitor-partner.

For-profit educational institutions are second potential source of competition. For example, the University of Phoenix is without a campus and full-time faculty. Such competitors focus on high demand, low overhead/high-profit programs. To the extent they capture that market, state institutions will be left with the more expensive array of offerings. Accessibility and convenience are key features of for-profit offerings. Another prospect is that our students will come to demand the convenience without being willing to pay the high fees that accompany that convenience. Educational divisions associated with businesses may call into question the value of traditional degrees. Certification by manufacturers (e.g., Microsoft, Novell, Ford) may become more attractive than some traditional academic programs.

A final source of competition is technology-mediated learning. A growing array of courses and programs are available through the Web and other digital media. Growth in this area will challenge ISU, and it is not yet clear how this challenge will be posed. Possibilities include virtual universities, consortia, or electronically delivered programs from a traditional university or college. It is evident that students will have an increasing array of options and that ISU must work smart to compete in this environment.

State Needs

From its inception, Idaho State University has been fortunate to have a mission and program array, which have helped meet specific needs of the state of Idaho. Regionally, it serves the role of a community college, providing entry-level undergraduate education at the associate degree level in both applied technology and academic fields. Through its College of Technology, it is a major player in the entry-level area of workforce development. The College of Education offers diverse educator preparation programs to equip school personnel to meet the state mandates for K-12 student learning. While the demands in pharmacy, laboratory clinical science, dietetics, public health, deaf education, speech pathology have increased, areas such as nursing, radiologic technology, mental health, and telehealth have escalated even more radically. As its strength in graduate education and research have increased, ISU has become a crucial partner in the management of the Idaho National Engineering and

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Environmental Lab (INEEL) of the U.S. Department of Energy, designated as the lead laboratory in the nation for nuclear energy research and design. Through its research park, ISU has helped to attract and retain such major local economic forces as American Micro Systems Semiconductor, Inc. (AMIS), Ballard Medical, and ISU's accelerator center.

Politics

While Idaho State University has enjoyed strong political support in its region and across the state, reapportionment of the state legislature (see demographics) has shifted the balance of representation to the western part of the state. It is more crucial than ever for southeastern Idaho and eastern Idaho to remain united in support of the major public institution in the region. It is vitally important that the institution continue to pursue strategies which link -through its service and presence- the communities of Twin Falls, Pocatello, Idaho Falls, and surrounding communities in the region.

ISU's Strengths and Challenges

Strengths

Idaho State University is an institution, which has many strengths.

- Mission-- Both its mission and its diverse program array have been traditional strengths of the institution in meeting state and regional needs.
- Accreditation-- Idaho State University strives to hold the available specialized and regional accreditations in all fields. In particular, the College of Technology continues to increase the number of programs holding specialized accreditation. As quality indicators, accreditations underscore the institution's academic vigor and fulfills a SBOE goal.
- Teaching and Learning-Centered Institution-- Idaho State University is a learning-centered university in which the faculty's major enterprise is teaching.
- Distance Learning-- Idaho State University is a leading institution in the state in both quantity and quality of educational services delivered at a distance.
- Research-- Idaho State University's research prowess, as highlighted by its recent alliances with the INEEL, speak to a growing sophistication of research and graduate programs.
- Faculty-- ISU's faculty is highly qualified, highly accomplished and highly regarded throughout the state, region, and nation.
- Capital Campaign—On March 31, 2004 Idaho State University completed its "Creating Legacies" Capital Campaign that raised \$152 million in gifts and pledges, far surpassing the initial goal of \$102 million.
- Building Projects—Two new magnificent building projects on campus totaling approximately \$75 million will provide a much needed economic boost to the state and afford wonderful academic and cultural offerings at the university. The L.E. and Thelma E. Stephens Performing Arts Center is 18 months into construction and will be completed by the fall of 2004. This cultural hub, boasting

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a 1,200 seat Grand Concert Hall, and 450-seat Thrust Theater, and a 200-seat Black Box Theater, will be as fine as any center of its kind in the west. The Stephens Center will also house the Theater Department. Ground was broken in July for the Rendezvous Center, a 255,000 square foot complex comprised of 50 classrooms, 72 apartments with 301 beds, the campus's main dining hall, a large computer center, and retail space. This living, learning and recreating center is unique in the country for university campuses.

- Sensitivity to Employer Needs-- To keep in step with employer needs, Idaho State University utilizes over sixty employer-filled advisory boards.
- Efficiency-- Lean in its staffing and admired for its capacity for work, ISU has been long regarded as a highly efficient institution, as it continues to produce its unit of work - the credit hour - at the lowest cost in the state.
- Federal Funding-- Although it is a relative newcomer in the quest for line item federal appropriations, Idaho State University is well positioned to improve its share of revenues flowing from the Federal Government to campuses. In the past two years, the University has garnered \$6.5 and \$10 million respectively in direct federal appropriations. This move into the federal initiatives process is making a substantial difference in the research and academic offerings of the university and is expected to continue.
- Grants and contracts – ISU has increased the level of non-general fund dollars received through grants and contracts by more than 8 percent from about \$31,000,000 in June 30, 2002 to nearly \$37,000,000 in June 30, 2003. The institution has improved its competitiveness for funding at NSF, NASA, the Office of Science in the Department of Energy, USDA, EPA, and the Department of Health and Human Services. In the last five years, ISU has returned 6-8 dollars per year in external funds for every dollar invested with matching infrastructure funds from NSF. An investment of \$3 million led to \$20 million in new grants awarded during this period.
- Partnerships-- Long a practitioner of mutually beneficial partnerships, Idaho State University is partnering effectively with other state institutions, local business and industry, health care providers, the national lab, and public school districts.
- Integrated Marketing—In an effort to better evaluate and take advantage of market opportunities and raise the University's visibility, ISU has embarked on a comprehensive integrated marketing effort. The three-stage process has included a thorough audit of enrollment trends including recruitment and retention strategies; marketing research focusing on the image of ISU with important constituencies; and assembling a broad-based integrated marketing group charged with developing and implementing the marketing plan.
- Graduate Education-- ISU is a mature graduate institution, offering 3 post-doctoral residencies, 12 doctoral degrees, 51 master's degrees, and 8 post-baccalaureate certificates.

Challenges

As Idaho State University faces many of the challenges common throughout higher education, it competes for a dwindling share of state resources.

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- Limited and Diminishing Resources-- The most significant of the institution's challenges is in the area of resources for personnel, salaries, programs, and facilities. Although the total dollars of allocated funds had been increasing until the holdbacks, the proportion of state general fund appropriated for colleges and universities has decreased from 14.7% in fiscal year 1991 to 11.9% in fiscal year 2001. Furthermore, Idaho State University is funded less per FTE than other state institutions performing similar functions. The holdback has accelerated these financial disparities, creating significant challenges for the University.
- Capacity Issues-- While Idaho State University was able to grow throughout the last decade, it required taking advantage of space available in selected facilities and programs, and reached maximum capacity. Currently, faculty, staff, labs, classrooms, and learning resources in many programs are in short supply. The recently renovated physical sciences building assisted in addressing this issue, and the Rendezvous multi-purpose building will greatly alleviate the capacity deficit on the Pocatello campus once constructed. However, additional classroom and laboratory space is needed in Idaho Falls, Twin Falls, and Boise if growth is to continue.
- Competition-- As described previously, the advent of four year programming at BYU-Idaho, the growing presence of for-profit institutions, and the limits of the traditional age college bound student population in the region present some distinct enrollment challenges.
- Diversifying the Student Population-- Idaho's minority populations have traditionally participated in higher education at a rate lower than that of other students. This is especially true of Hispanics and Native Americans. In seeking to further diversify its student body, Idaho State University will face challenges.
- Outreach-- Both a challenge and a strength, Idaho State University's outreach programming continues to stretch its ability to provide instruction and facilities to meet the demand.

Idaho State Board of Education's Strategic Plan

The Idaho State Board of Education's 2000-2005 Statewide Strategic Plan consists of four goals, forty-six objectives, and eleven postsecondary performance measures.

SBOE Goals

1. Direct efforts to continuously improve the **quality** of Idaho's education, training, rehabilitation and information/research services to gain program competitiveness, high levels of achievement, and a well-informed citizenry.
2. Provide individuals of all ages and abilities **access** to education, training, rehabilitation and information/research services to develop their skills, knowledge and social awareness in order to be globally competitive workers, responsible citizens, and lifelong learners.

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3. Ensure education, training, rehabilitation and information/research services are **relevant** to the needs of Idaho's citizens, workforce, business, industry, and local, state, and federal government.
4. Ensure maximum benefit from education resources through **efficient** operation and management of the education system and investments in student learning centered software.

SBOE Performance Measures

1. Head count of first year student applications, admissions, and enrollment (academic and vocational-technical).
2. Number of credit hours taken by first year academic and applied technology students (resident and non-resident) within one year of high school graduation and returning adults in remedial and/or developmental coursework (mathematics and English) and enrollment in and completion of next college level courses.
3. Retention of new first-time, full-time degree seeking students to the second year or to program completion if the vocational-technical program is less than one year.
4. Graduation rates in 100%, 125% and 150% of catalog program length, as defined through credit hours, of first-time, full-time, first-year students and total credits earned by bachelor's degree-seeking graduates.
5. Undergraduate, graduate, and vocational-technical credits earned at locations remote to the main campus, by delivery method (traditional, telecommunications, and correspondence).
6. Pass rates on selected licensing or certification exams as compared to national or state norms where available.
7. One page summary of employer satisfaction surveys for recent graduates and those completing vocational-technical programs.
8. Number of students transferring from Idaho educational institutions by institution.
9. One page summary of outreach and public service programs and executive assessment of outcomes. Include the number of K-12 partnerships and average number of teachers/students per partnership.
10. Annual dollar amount expended on externally funded research and other external grants and contracts.
11. Degrees and certificates awarded.

Idaho State University's Strategic Plan 2002-2005

Idaho State University's Strategic Plan complements the State Board plan with six institution- specific goals. Accompanying each of these goals are objectives, strategies, and measures. While the **2004** revision of the institution's Strategic Plan reflects the impact of the increasing budget constraints and decreasing state support for higher education, ISU maintains the attainment of each goal as critical.

Goal 1 ACCESS. Strive to provide access to opportunities that maximize student success and learning by offering relevant programs and

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services to meet student needs. In particular, provide programming in the health professions statewide in fulfillment of ISU's mission.

Objective 1.1 Maintain and enhance the responsive processes that attract qualified undergraduate and graduate students and that help them meet their educational goals and/or persist to graduation.

Strategies

- Refocus strategies to recruit and maintain a steady flow of well-qualified students from an expanded service area;
- Coordinate new student programs (e.g., assessment, orientation, advising, career counseling, co-curricular transcript, and course registration) and ensure that students receive consistent and complete information at all ISU locations;
- Provide informational materials and orientation programs that give prospective students realistic expectations for themselves and of the institution;
- Assist regional business and industry by encouraging employees to enroll in existing courses and by developing tailored programs and courses to meet employers' needs;
- Work with area public schools to design professional development and school improvement programs for K-12 teachers;
- Provide opportunities for high school students to enter postsecondary education through dual enrollments;
- Inform residents of the region about undergraduate, graduate, and professional development programs;
- Expand mission-related programming in Boise;
- Expand articulation and partnership agreements with other state institutions;
- Increase undergraduate and graduate offerings at nontraditional times convenient for working adults;
- Maintain and strengthen Gender Equity Plan and Minorities Opportunity Plan for athletes;
- Strengthen outreach, continuing education conferences, and summer school;
- Hire an executive enrollment management director.

Objective 1.2 Maintain and enhance access to academic programs through distance technology.

Strategies

- Increase the number of Web-based courses;
- Continue offering two-way interactive compressed video courses at times convenient for students.

Objective 1.3 Maintain and enhance student support and academic services.

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Strategies Extend appropriate services to students in distance learning locations, workplace sites, and other remote areas;
Continue to improve services such as University-sponsored health care, childcare, bus services, and housing;
Participate in state initiatives to increase access to local and global learning resources such as libraries and databases;
Maintain and improve liaisons between departments and units (e.g., the link between Athletic Services and Enrollment Planning offices) in an effort to provide a contiguous experience.

MEASURES

Goal 1:

Access

- Profile broad-based programs, services, and initiatives designed to increase access and support.
- Profile programs, services, and initiatives designed to increase access and support students in outreach and distance learning settings.
- Profile programs, services, and initiatives designed to increase access and support under-prepared students.
- Profile programs, services, and initiatives designed to increase access and support students from underrepresented and special needs groups.

Goal 2:

Learning

- Provide an effective and efficient learning environment_that serves students of varied ages, abilities, needs, and backgrounds.

Objective 2.1

- Set performance-based standards for student learning and communicate these standards to students.

Strategies

- Regularly review standards for student learning and update assessment systems that monitor student learning relative to program standards;
- Maintain or improve program-based counseling, advising, placement, and retention procedures; facilitate transfer between programs; and encourage progress towards completion of degree or program;
- Review programs to ensure productivity and effectiveness. Conduct annual quantitative program evaluation based upon measures of student learning, job placement, employer and alumni satisfaction, productivity, types of learners served, student progress toward degree or program completion, duplication and need. Undertake in-depth evaluation if quantitative measures indicate possible problem areas;
- Continue to work with the institution's community advisory boards to ensure relevance and appropriateness of programs;

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- Maintain and expand regional and national certifications, including Northwest Association of Schools and Colleges, NCAA, and other program-specific national associations in all colleges;
- Strengthen educational offerings in the areas of engineering and technology through combining the two colleges to establish joint program offerings, enhanced articulation, and better utilization of faculty and resources.

Objective 2.2 Develop learning environments that allow students of varied ages, abilities, needs, and backgrounds to succeed.

Strategies

- As part of the University's community college mission, provide expanded opportunities for students who want to improve basic skills or pursue certificate and associate degree programs;
- Recruit and retain high quality faculty (see Goal 5, Objective 1 of this plan);
- Improve retention of new students by providing programs such as first year seminars, learning communities, supplemental instruction, and registration in small classes;
- Increase active learning by encouraging diverse teaching styles and promoting opportunities for undergraduates to participate in research activities;
- Continue to expand student learning and faculty development activities and opportunities provided by the Center for Teaching and Learning
- Develop and utilize effective instructional technology to increase learning (e.g., advanced training for health professionals);
- Promote discipline-based and co-curricular activities that extend the learning environment beyond the classroom and foster development of social, interpersonal, and leadership skills;
- Continue to enhance the quality of graduate instruction by sustaining the Center for the Doctor of Arts, supporting graduate student presentation of papers at professional meetings, pursuing industry internships and other cooperative programs, and acquiring funds to support graduate student research.

Objective 2.3 Continue collaborative work and partnerships.

Strategy

- Continue collaborative work with other educational entities, business, industry, and public agencies in the state and region such as clinical placements, internships, and dual enrollments. Complete the establishment of oversight structures to the Treasure Valley and Magic Valley.

MEASURES
Goal 2:

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Learning	<ul style="list-style-type: none">•Report status and results of program reviews and assessment.•Report patterns of enrollment, student success and satisfaction across programs and student type.•Report programs, services, faculty incentives, and initiatives designed to enhance, build, or extend learning environments.•Report collaborative work and partnerships developed or expanded.
Goal 3: Research	Conduct research consistent with the state, regional, and national public service responsibilities, the University's undergraduate and graduate programs, and its mission in the health professions and related biological sciences, and continuing emphasis areas.
Objective 3.1	Continue to implement the University's comprehensive research policy, which enhances research quality and instruction and encourages innovation and the use of new technologies.
Strategies	<ul style="list-style-type: none">•Continue to develop faculty and student research and expertise capabilities through special initiatives supported by federal and state funds;•Continue to allocate research funds to build on existing strengths and develop new ones consistent with the role and mission;•Contribute to economic development in the region through applied research and partnerships with industry and governmental agencies;•Continue to build and enhance the high-speed transmission capabilities of the institution consistent with a statewide infrastructure development;•Continue to develop research program partnerships with industry (e.g., AMIS), state and federal agencies (e.g., higher education partnerships like BRIN), and national laboratories (e.g., growth in Accelerator Center with INEEL).•Continue federal initiative process seeking support for appropriate institutional objectives;
Objective 3.2	Continue to seek research grants and contracts, particularly in the mission emphasis areas of the health professions and basic sciences/engineering.
Strategy	<ul style="list-style-type: none">•Encourage research productivity in each area of funding (e.g., intramural, federal agencies, state agencies, local agencies, business/industry, foundations, and other sources);•Expanding National Institute of Health (NIH) external funding is a particular priority;•In Boise, increase the health professions research presence.

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Objective 3.3 Increase shared use of research resources.

Strategies

- Continue to provide information on major equipment available to all researchers;
- Continue to facilitate purchase of equipment, which can be shared by a number of researchers;
- Enhance interdisciplinary interactions among units.

Objective 3.4 Help faculty increase research productivity.

Strategies

- Provide information about faculty research expertise for the use of individuals, organizations, and public officials;
- Encourage faculty to collaborate, especially senior faculty with junior faculty;
- Help faculty write successful grant and contract applications.
- Report proposals submitted and funded. Report dollar amounts, disciplines involved.
- Report level of research activity across the institution. Research funding per faculty FTE, numbers of faculty and students involved, numbers served by the Office of Research.
- Report partnerships, collaborations, alliances, and resource sharing within and outside the institution.

**Goal 4:
Service** Provide quality educational services to support economic development, continuing education, and access to University-sponsored training clinics, facilities, and events.

Objective 4.1 Support economic growth within the region through applied research and development activities.

Strategies

- Offer faculty expertise to economic development organizations (e.g., the Business and Technology Center, the Eastern Idaho Development Corporation, and the Bannock Development Corporation) and to private industry;
- Provide public access to University resources such as libraries, research institutes, distance learning facilities, and teleconferences;
- Customize partnership training programs for new and existing business and industry;
- Enhance ISU's role in Nuclear Engineering in Idaho Falls through the addition of on-site faculty;
- Use student internships and course project teams to assist business and industry.

Objective 4.2 Provide professional and personal developmental opportunities for individuals outside typical educational programs.

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- Strategies**
- Revitalize ISU's summer school and continuing education offerings;
 - Increase continuing education programming through central coordination;
 - Deliver continuing education programs that address the needs of local, statewide and regional constituencies;
 - Develop new continuing education programs such as graduate certificates, executive training, precollege activities, and conference services;
 - Expand continuing education and summer school programs via nontraditional delivery modes (at night, on weekends, on-site, and online);
 - Offer necessary support services (career development, financial aid, registration, advising) at times convenient to the continuing education and summer school population;
 - Maintain and increase programs for adult learners such as preparation for the General Education Development (GED) examination and career counseling;
 - Continue to provide high quality professional development opportunities for K-12 including on-going staff development and coursework;
 - Continue to sponsor programs, such as community health fairs, wellness clinics, and information access training;
 - Continue to assist students through the Skill Oriented Learning is a Valued Education (SOLVE) training program, developed and administered by the ISU College of Technology Center for New Directions, Idaho Department of Labor, and Idaho Department of Health and Welfare;
 - Continue to provide outreach services by offering the College of Technology Practical Nursing Program through regional hospitals in the southeastern Idaho.

Objective 4.3 Continue institutional goal of responsiveness by providing citizens of the region and state access to university programs providing direct services as part of the educational process.

- Strategies**
- Continue to offer health and wellness clinics that provide health care access to the under-served as well as service learning for students;
 - Continue to promote community access to services provided through College of Technology educational programs;
 - Continue to support K-12 education improvement through school effectiveness programs, policy studies, and research provided by the Intermountain Center for Education Effectiveness;

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- Continue to expand university centers and institutes to meet the needs of business and industry, state agencies and other entities operating within the state (e.g., Institute for Nuclear Science and Engineering, Institute for Emergency Management Training, Center for Disability Evaluation and Research);
- Continue Eastern Idaho health professions outreach through the development of the ADN program and collaboration with EITC in the new health professions building in Idaho Falls.

Objective 4.4 Provide community access to cultural enrichment through programs sponsored by the University and the use of University facilities.

Strategies

- Maintain public access to activities that benefit the region (e.g., intercollegiate athletics, Simplot Games, Dodge National Rodeo, Special Olympics art exhibits, concerts, and speakers);
- Continue the mission of the Idaho Museum of Natural History to display regional research and education relating to the natural history of Idaho and the Northern Intermountain West for citizens of Idaho, national and international visitors, students, and scholars.

Objective 4.5 Support regional organizations and institutions, particularly those involved in education.

Strategies

- Encourage faculty, staff, and students to participate in professional societies, non-profit organizations, government agencies, health organizations, advisory boards in the community, and public schools;
- Create a campus climate that encourages community service.
- Report research and development needs of the community. Report activities offered to support those needs.
- Report development opportunities and other service activities provided to the community.
- Report cultural enrichment programs sponsored by the university or using university facilities.

**Goal 5:
Faculty**

Hire and retain a diverse faculty, which sustains a high quality-learning environment through effective teaching, productive scholarship, and useful public service.

Objective 5.1 Continue to recruit a high quality faculty.

Strategies

- Support advertising, networking practices, and recruiting procedures which attract qualified applicants;
- Continue efforts to improve faculty compensation to be competitive on a regional and national level.

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Objective 5.2 Continue to improve retention of high quality faculty by supporting personal and professional growth.

Strategies

- Strengthen professional and personal growth of faculty so that they remain up-to-date in their disciplines and in the use of innovative pedagogies; ensure resource and infrastructure support to encourage faculty efforts at effective teaching, student advising and scholarship; and enable faculty to improve their skills through peer evaluation and mentoring;
- Continue to increase the amount and utilization of faculty development activities and opportunities available through the Center for Teaching and Learning (e.g., general faculty and discipline-specific workshops, one-on-one consulting, week-long summer programs on pedagogy);
- Continue to offer workshops and one-on-one training resources for faculty and staff focusing on integrating technology as a teaching and learning tool through the Instructional Technology Resource Center (ITRC).
- Report faculty profile, including credentials, awards and compensation.
- Report faculty development programs and initiatives. Report utilization rates and satisfaction levels.

**Goal 6:
Support** Manage University resources to provide appropriate staff and support while maintaining a high quality learning environment.

Objective 6.1 Develop and maintain effective leaders.

Strategies

- Offer professional development activities for deans, department chairs, coaches, program directors, and administrators;
- Promote responsive and responsible decision-making at all levels by maintaining a flat administrative structure and encouraging local solutions to local problems.

Objective 6.2 Develop and encourage the use of information and communication resources.

Strategies

- Increase the use of the Eli Oboler Library and the Idaho Health Sciences Library by faculty, staff, administrators, students, and the community;
- Continue to improve electronic communication resources;
- Coordinate the purchase and location of new hardware and software to maximize access to current technology by faculty, staff, and students;

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- Use the Instructional Technology Resource Center to continue to help faculty and staff learn applications to new technology.

Objective 6.3 Ensure that the University effectively and efficiently manages its resources in pursuit of its mission while maintaining program quality.

Strategies

- Continue to allocate the largest feasible proportion of resources to instruction and other services provided directly to students, and keep administrative costs low;
- Review strategies for increasing learning, and assess their productivity, effectiveness, and cost;
- Continue the use of additional technology instead of staff to respond to increased workloads when the relative costs and efficiencies warrant it;
- Maintain budget flexibility to be able to respond to emerging opportunities;
- Explore new opportunities for the organization of information technology systems and services on campus; evaluate each relative to support for planning and accountability, weighing efficiencies against costs, and implement if appropriate and cost-effective;
- Maintain information systems needed to support effective planning and accountability;
- Maintain close working relationship between athletic financial oversight committee and University financial services;
- Report the outcomes of initiatives and budget allocations to the University community.

Objective 6.4 Work to increase the resources available.

Strategies

- Seek additional funding for expansion of high-demand programs, particularly in the health professions;
- Continue working with state and federal governments to identify unique funding opportunities for the University;
- Bring the Centennial Campaign to successful conclusion in 2005 (e.g., \$128.5 million for academic enhancement, scholarship endowment and the L.E. and Thelma E. Stephens Performing Arts Center);
- Continue to work with the ISU Foundation to strengthen annual giving campaigns, as well as major giving and deferred programs;
- Continue to pursue expanded role and additional facilities for the Idaho Museum of Natural History;
- Identify and maximize other revenue streams for the continuing growth of the institution, its facilities and programs;
- Continue working with the Idaho Division of Water Resources to implement performance contracting options for energy conservation;

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- Continue to work and create new strategies to fund athletic programs through the Bengal Foundation, ticket sales, and sponsorships.

Objective 6.5 Plan, develop, manage, and maintain the physical resources of the University.

- Strategies**
- Continue efforts to refurbish and enhance buildings and grounds;
 - Develop plans for the optimum use of the Rendezvous Building and the Performing Arts Center;
 - Proceed to update the campus development plan;
 - Maintain the newly updated campus facilities inventory;
 - Develop a water conservation program for the campus;
 - Complete the installation of energy monitory equipment in major buildings;
 - Develop a maintenance and repair program for classroom teaching technology equipment;
 - Post the campus development plan update on the Internet.
 - Report administrative profile. Report administrative and other support costs, staffing levels, results of external reviews.
 - Report programs and initiatives designed to maintain or increase efficiency or effectiveness.
 - Report success of various fund raising efforts.
 - Report progress of building enhancements.
 - Report energy savings.

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COLLEGE OF SOUTHERN IDAHO
STRATEGIC PLAN

**GOAL I: SERVICE
STRATEGY:**

Promote habitual characteristics of respectful and courteous interactions with the widening diversity of the internal community as well as the community at large; enable access to educational and training opportunities; and, demand the highest possible quality of performance.

ACTION AREA A: Student Service

Action Item 1) Assure a student's continuing access to educational and training opportunities by: eliminating student/CSI contact barriers; insuring collaboration among student service departments; communicating interactively with the College community, other institutions of higher education, and community at large. (*Student Services*)

Action Item 2) Establish a convenient, user-oriented student services system sometimes referred to as "one stop service". (*Student Services*)

Action Item 3) Reinvigorate programs to increase recruitment, retention, and placement of students. (*Director, New Student Services*)

Action Item 4) Institutionalize a minimum standard of "computer literacy" for degree-seeking students and expectations of compliance. (*Computer Skills Assessment Committee*)

Action Item 5) Offer classes at nontraditional times. (*Chief Academic Officer*)

Action Item 6) Develop opportunities for students with young families. (*Center for New Directions*)

ACTION AREA B: Diversity of Student Body

Action Item 1) Adopt a College definition of diversity that includes multicultural, highly able, and international students.

Action Item 2) Expand recruitment of multicultural, highly able, and international students.

Action Item 3) Recharge programs that promote understanding of diversity internally and externally.

ACTION AREA C: Communication

Action Item 1) Establish a user-friendly College-wide electronic communication system that interactively communicates institutional and departmental voice, data, and video messages.

Action Item 2) Communicate system-wide announcements and news items of general interest to the internal community.

Action Item 3) Establish a systematic survey process to obtain input about the quality of service exhibited by the College, internally, with former students, and with the community at large.

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Action Item 4) Establish a representative committee to invite to the college campus-wide speakers of general interest (not classroom guests).

Action Item 5) Assure that the “open door” policy on campus continues and is extended to communications that are not face-to-face.

Action Item 6) (2004) Initiative on Decision-Making and Communication

ACTION AREA D: Quality

Action Item 1) Develop process for balancing student growth with quality instruction **on an ongoing basis.**

Action Item 2) Set expectations for quality programs and services by assuring that standards of performance and measurements of compliance are in place.

Action Item 3) Assure quality of instruction in all programs in cooperation with faculty, department heads, division directors, and deans.

Action Item 4) (2004) Initiative on Quality Instruction and Student Growth

GOAL II: INNOVATION

STRATEGY:

Discharge duties inventively and creatively. This entrepreneurial environment is fostered by administrators and all other employees who undertake thoughtful, insightful, and forward-looking decisions and reasonable risk may be a part of the College enterprise. The goal of “Innovation” is both to establish and to maintain the inventive spirit of the College.

ACTION AREA A: Programs and Program Review

Action Item 1) Continuously scan pertinent educational and business environments to ensure that programs meet forward-looking student, academic, and business needs and respond appropriately.

Action Item 2) Ensure that objective standards, processes, and procedures are in place to determine effectiveness of program mission and function; student preparation and instructional methods; student performance and outcomes. Take corrective action where indicated.

Action Item 3) Assure that the needs of special populations and persons with disabilities of the College are anticipated.

Action Item 4) Routinely assess the competitive marketplace for higher education.

ACTION AREA B: Technology

Action Item 1) Continuously enhance student access, improved learning, and internal and external services with up-to-date proven technology.

Action Item 2) Provide faculty, staff, and administration experience with emerging technologies.

Action Item 3) Continuously analyze, regularly report upon and make recommendations related to improvement opportunities in distance learning, internet, and the evolving data, video and voice technologies.

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Action Item **4)** Cooperate in community-wide communication networks in discharge of the College's responsibility in the context of homeland security.

ACTION AREA C: New Funding

Action Item **1)** Maintain and establish cordial working relationships with supervisory agencies and elected officials.

Action Item **2)** Foster acceptance of the expectation that employees participate in seeking funding to supplement State general fund monies.

Action Item **3)** Promote grant development and foundation activities.

Action Item **4) (2004) Initiative on Alternative Funding**

GOAL III: PARTNERSHIPS

STRATEGY:

In the development and delivery of programs and services internally, cooperate and collaborate effectively and efficiently across administrative boundaries and, externally with the other educational institutions, businesses, and community organizations.

ACTION AREA A: Internal Partnerships

Action Item **1)** Develop outreach centers with services at all campus sites.

Action Item **2)** Establish standards and expectations for sharing of resources and cooperation between and among departments and between technical and academic disciplines.

Action Item **3)** Establish program-development assistance for faculty to further the grant request process.

Action Item **4)** Establish administration, faculty and staff cooperative process.

ACTION AREA B: Service Area School Districts

Action Item **1)** Establish regular administrative and faculty interaction with counterparts at school districts including both public and private schools.

Action Item **2)** Develop dual credit and tech prep opportunities.

ACTION AREA C: Higher Education Partnerships

Action Item **1)** Broker four-year degree and advanced degree offerings in the service area by surveying, advocating and developing delivery or expansion of programs with appropriate institutions of higher education.

Action Item **2)** Cooperatively construct a higher education center for the easy access of service area students to four-year and advanced degree offerings.

Action Item **3)** Develop articulation to four-year degree programs.

ACTION AREA D: Community Partnerships

Action Item **1)** Maintain and clarify the process for responsiveness to training requests from business.

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- Action Item** 2) Continuously review comprehensive policies and procedures for discharge of Local Emergency Planning Committee duties.
- Action Item** 3) Create just-in-time training opportunities.
- Action Item** 4) Provide organizational leadership in regional economic development.
- Action Item** 5) Maintain and invigorate partnerships with community organizations to further cultural and artistic programs and events.

GOAL IV: FULLY DEVELOP RESOURCES

STRATEGY:

Enhance potential successes and high-level achievement through the development and management of human, physical, and financial resources.

ACTION AREA A: Human Resources

- Action Item** 1) Institute and refine system-wide professional development and renewal.
- Action Item** 2) Create a database tracking system for professional development.
- Action Item** 3) Cooperatively review personnel classification system; job descriptions; and evaluation process.
- Action Item** 4) Reaffirm salary competitiveness goals.
- Action Item** 5) Develop a process leading toward greater employee diversity to reflect a more diverse student body.
- Action Item** 6 (2004) Initiative on Maintaining the CSI Culture

ACTION AREA B: Facilities and Grounds as a Resource

- Action Item** 1) Ensure that buildings and landscaping are student and environmentally friendly including landscaping with lowered water demand.
- Action Item** 2) Develop grounds and facilities that are safe.
- Action Item** 3) Expand use of classroom buildings in non-traditional times.
- Action Item** 4) Maintain open spaces and buildings consistently at the traditional high level of appearance and function.
- Action Item** 5) Provide buildings and facilities for community use in a way that is consonant with increasing energy, maintenance, and opportunity costs and fees-for-use.
- Action Item** 6) Fully develop the Wood River Valley facility as indicated by program offerings.
- Action Item** 7) (2004) Initiative on Safety and Security

ACTION AREA C: Financial Resources

- Action Item** 1) Manage and invest money resources prudently on behalf of the public in the service area.
- Action Item** 2) Develop budgets annually and provide budgetary responsibility and accountability.

**EASTERN IDAHO TECHNICAL COLLEGE
2004-2008 STRATEGIC PLAN**

**CORRELATED WITH THE
IDAHO STATE BOARD OF EDUCATION STRATEGIC PLAN**

**STRATEGIC PLAN FOR PROFESSIONAL TECHNICAL EDUCATION
AND
EASTERN IDAHO TECHNICAL COLLEGE'S
INSTITUTIONAL EFFECTIVENESS PLAN**

Mission Statement

Eastern Idaho Technical College provides high-quality educational programs that meet the diverse needs of the citizens of its nine-county service area and the state of Idaho. The College offers an excellent learning environment and delivers a variety of learning opportunities for the students. The College serves by being a minimal-cost, open door institution that advocates for the needs of the individual. The College champions technical programs, customized industry training and retraining, developmental and basic skills instruction, workforce and community education, economic development, distance education, and student services.

GOAL 1

Deliver high-quality, minimal cost educational programs in professional-technical fields, short-term customized training, community education, and basic skills training to meet the needs of students, businesses, and industries in the EITC service delivery community.

Objectives

Revise all strategic planning processes and develop an updated strategic plan.

- Collect, analyze, and distribute data from specific measures.
- Set, measure, and report performance goals.
- Expand access for selected programs and services to selected communities in the service area.
- Expand and strengthen partnerships with operating contractors of the Idaho National Laboratory and the Idaho Completion Project.
- Annually review relevant data to determine the effectiveness of each credit program offered.
- Obtain national Commission on Accreditation of Allied Health Education Programs (CAAHEP) accreditation for Dental Assisting program.
- Achieve an annual ninety percent positive employment placement rate of all graduates.
- Provide supervised industry work experiences in instructional programs.

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- Expand industry certification opportunity in instructional programs.
- Enhance learning opportunities in student organizations and competitions.

GOAL 2

Provide comprehensive services to enhance student success: advising, counseling, career planning, placement, basic skills, assessment, remediation, and GED completion.

Objectives

- Ensure seamless transitions for students from Adult Basic Education, GED, and developmental courses into full-time programs or employment.
- Continue administration of employer satisfaction surveys and alumni satisfaction surveys.
- Conduct employer needs surveys for all program changes and new program development.
- Increase the number of students entering nontraditional training programs.
- Increase special populations students enrollment.
- Continue providing Center for New Directions access to all students.
- Maintain comprehensive student recruitment and placement services.
- Conduct an annual evaluation of COMPASS scores of applicants in coordination with division managers.
- Increase recruitment efforts of minority students.
- Assure College services access for non-English speaking residents by using faculty and staff translators.

GOAL 3

Establish and maintain partnerships with area school districts, universities, businesses, industries, government agencies, and other regional entities.

Objectives

- Expand outreach opportunities for instruction/programs, Adult Basic Education, Workforce Training, emergency services training, and adult career development throughout Region VI.
- Continue active membership in the Idaho Workforce Training Network.
- Increase the number of articulated courses with institutions of higher education to ensure seamless transitions for students.
- Continue active involvement with regional Workforce Investment Board.
- Continue community involvement.
- Continue COMPASS testing for high school students in the service delivery area.
- Annually host high school students on the EITC campus for recruitment.
- Continue efforts to establish and maintain a positive public image.

GOAL 4

Effectively and efficiently utilize financial, physical, and human resources through the use of sound administrative practices.

Objectives

- Continue the development of new funding streams through the State Board of education, the State Legislature, and Foundation, and grants.
- Provide professional development, industry certification, and skills upgrade opportunities for faculty and staff within the limits of College resources.
- Continue improvement of adjunct faculty training and new faculty orientation.
- Plan and construct a Health Education Building.
- Continue activities to increase energy efficiency campus-wide.
- Continue the Foundation's support for the library collection.
- Complete a comprehensive Technology Master Plan.
 - ❖ Prepare and maintain an accurate computer network map.
 - ❖ Continue the campus-wide information technology inventory and conduct a comprehensive information technology needs assessment.
 - ❖ Refine policies and procedures for information technology purchasing, installation, network access and licensing.
 - ❖ Continue use of the portable distance education system.
- Continuously update the EITC web site.
- Maximize profitability of the EITC bookstore.
- Reduce motor pool maintenance costs.

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REFERENCE

- | | |
|---------------|--|
| June 27, 2002 | An amendment to both the Public and Commercial Driving School Rules was brought to the Board for their review and approval. The Board voted to approve the amendments to the Public Driving School Rules but did not approve the amendments to the Commercial Driving School Rules |
| June 18, 2003 | The Commercial Driving School Rules were brought to the Board for their review and approval. The Board voted to hold the rules until their August meeting and directed Board staff to place the rules on the webpage and allow for comment up to 20 days prior to the meeting. |

SUBJECT

Redrafting of the Commercial Driving School Rules. The current Driver and Traffic Safety Administrative Manual has been in place since October 17, 1996.

APPLICABLE STATUTE, RULE, OR POLICY

Section 49-2102, Idaho Code requires the State Board to adopt rules concerning the administration and enforcement of Commercial Driving Schools.

BACKGROUND

Prior to 2002, Commercial and Public Driving Schools were governed by the same standards as set out in the Driver Education Manual and incorporated by reference into Board rule. In 2002, the Department of Education redrafted the manual and brought it to the Board for approval. While the Public Driving Schools were in agreement with the proposed amendments, the Commercial Driving Schools were not. At that time, the Department formed a Steering Committee of the Commercial Driving Schools in attempt to come to consensus on the text of the manual. The Steering Committee is made up of seven members from around the state, a member from the Department of Transportation, and a member from the Idaho State Police.

DISCUSSION

After the Steering Committee was formed, several negotiated rulemaking meetings were held. Staff from the State Board of Education facilitated the meetings. The Department and the Steering Committee are to be commended for the many hours they spent working to come to consensus on the text of these rules. Both parties were able to come to consensus on most of the text found in these rules. However, there are still some areas of disagreement.

For the first time, the Commercial Driving Schools will be governed by separate and different requirements than those governing Public Driving Schools. These rules govern licensing of schools and instructors; vehicles, student records; education and training programs; and set out hearing requirements for suspension, revocation, or denial of licenses.

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In general the Commercial Driving Schools feel the Department has too much latitude in overseeing their programs. Commercial Driving Schools desire more flexibility in their programs and ability to teach student drivers. The Department is concerned about the education that student drivers receive when there is little oversight from their office. Until now, Commercial Driving Schools have always had the same requirements as Public Driving Schools. Commercial Driving Schools have increased rapidly over the past few years and both parties agree there is a need for amendment to these rules.

Based on the Board's motion at the June meeting, the same draft of the rules is once again being provided to the Board. In addition, comments from both the Commercial Driving Schools and the Department have been included for the Board's review. It should be noted that of the 70 commercial driving instructors only 7 of them commented to this final draft. ***The final page behind this tab is a table that includes a brief synopsis of the differences between the public and commercial schools, the proposals that each are making, and Board staff recommendations.***

It should be noted, that many of the comments and suggested amendments that are included in the comments from representatives of the Commercial Driving Schools were not discussed in either of the meetings that were facilitated by Board staff. Many of the comments are new and were therefore never incorporated into the draft presented to the Board.

IMPACT

If the Board approves the Commercial Driving School Rules, and the Legislature concurs, all Commercial Driving Schools will be required to comply with the requirements.

If the Board rejects the Commercial Driving School Rules, Commercial Driving Schools will remain under the requirements currently set out in the Driver and Traffic Safety Administrative Manual dated October 17, 1996.

It should be noted that if Board does not approve the proposed rule at this meeting that the old manual will remain in place until the close of the 2006 legislative session.

STAFF COMMENTS AND RECOMMENDATIONS

While an attempt was made to come to total consensus on these rules, in some areas the Department and the members of the Steering Committee were unable to do so. Furthermore, other Commercial Driving School owners, who were not a part of the Steering Committee, are not in agreement with some of the amendments agreed to by the steering committee.

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Board staff notes that one of the proposed amendments suggested by the Commercial Driving Schools is to change the naming convention from Commercial Driving School to Commercial Driving Business. However, the statute does not refer to Business and only refers to Commercial Driver Training School. An amendment to the rule would cause a conflict between rule and statute. Should the Commercial Driving Training Schools wish to make this amendment, Board staff recommends a statutory change.

During negotiations, Board staff heard and understood both sides of this issue. While Board staff understands the need for Commercial Schools to have flexibility, Board staff also understands the need for student drivers to fully understand the great responsibility being placed on them as student drivers. If they are given too much information too quick, it becomes difficult for them to retain all this information. With that in mind, and as you can see from the attached draft, Board staff has attempted to reach a middle ground between the Department and the Commercial Schools.

Board staff recommends approval of the Commercial Driving School Rules as submitted.

BOARD ACTION

A motion to approve the State Board of Education Rules for Commercial Driving Schools as presented in the April 2004 draft:

Moved by _____ Seconded by _____ Carried Yes _____ No _____

OR

A motion to approve the State Board of Education Rules for Commercial Driving Schools as presented in the April 2004 draft, with the following amendments:

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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003. ADMINISTRATIVE APPEALS.

Unless otherwise provided for in these rules, administrative appeals are by written application of the State Board of Education pursuant to IDAPA 08.021.01, "~~Rules Governing Administration~~ Rules of the State Board of Education and Board of Regents of the University of Idaho – Administrative Procedures and Records, Section 001050." (7-1-02) ()

004. INCORPORATION BY REFERENCE.

The State Board of Education adopts and incorporates into its rules: (4-5-00)

01. Incorporated Document. The Idaho Standards for the Initial Certification of Professional School Personnel as approved on in November 2003. (3-16-04)

02. Document Availability. The Standards are available at the Office of the State Board of Education, 650 W. State St., PO Box 83720, Boise, Idaho, 83720-0037, and can also be accessed electronically at [http:// www.idahoboardofed.org](http://www.idahoboardofed.org). (3-16-04)

03. Incorporated Document. The Standards for Idaho School Buses and Operations as approved on November 15, 2001. (7-1-02)

04. Document Availability. The Standards for Idaho School Buses and Operations are available at the Idaho State Department of Education, 650 W. State St., Boise, Idaho, 83702. (7-1-02)

05. Incorporated Document. The Idaho Standards for Public School Driver Education and Training as approved on November 22, 2002. (5-3-03)

06. Document Availability. The Idaho Standards for Public School Driver Education and Training are available at the Idaho State Department of Education, 650 W. State St., Boise, Idaho, 83702. (5-3-03)

07. Incorporated Document. ~~The Idaho Driver Education Administrative Manual as approved on October 17, 1996~~ State Board Rules for Commercial Driving Schools as approved on June 17, 2004. (5-3-03)()

08. Document Availability. The Idaho Driver Education Administrative Manual is available at the Idaho State Department of Education, 650 W. State St., Boise, Idaho, 83702. (5-3-03)

(BREAK IN CONTINUITY OF SECTIONS)

230. DRIVER EDUCATION.

01. Commercial Schools. All driver education courses offered in Idaho commercial schools must be conducted in compliance with all the requirements in the

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~~Idaho Driver Education Administrative Manual as approved on October 17, 1996 State Board Rules for Commercial Driving Schools as approved on June 17, 2004. (5-3-03)()~~

02. Public Schools. All driver education courses offered in Idaho public schools must be conducted in compliance with all the requirements in the Idaho Standards for Public School Driver Education and Training as approved on November 22, 2002. (5-3-03)

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TITLE 49
MOTOR VEHICLES
CHAPTER 21
COMMERCIAL DRIVER SCHOOLS

49-2102. SCHOOLS -- LICENSE REQUIRED -- CONTENTS OF APPLICATION FOR LICENSE. No commercial driver training school shall be established nor shall any existing school continue to operate, unless the school applies for and obtains from the state board of education a license in the manner and form prescribed by the state board of education. The application for license shall include a statement of the location of the school, a certificate of occupancy, a certificate of automobile insurance, a list of certified instructors, proof of an annual vehicle check, and a course of instruction for teen drivers aged fourteen and one-half (14 1/2) to seventeen (17) years which shall include the following standards: (1) Not less than thirty (30) hours of classroom instruction; (2) Not less than six (6) hours of behind-the-wheel practice driving; and (3) Not less than six (6) hours of observation.

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Commercial Schools. All driver education courses offered in Idaho commercial schools must be conducted in compliance with the requirements set forth in this manual, IDAPA 08.02.02, "Rules Governing Uniformity", Subsection 240.01 and (Title 49, Chapter 21, Idaho Code).

1.0 DRIVING SCHOOL LICENSE

1.1 Display of Licenses. Commercial driving school licenses are not transferable and are to be conspicuously displayed in the principal place of business. All branch locations must meet the same requirements as the principal place of business.

1.2 Advertising. Schools may represent that the school is licensed by the Department, and may use no other words to indicate compliance.

1.3 Applications

All applications for an original or renewal license must be submitted on the most current form provided by the Department. Applications must be submitted at least thirty (30) days prior to licensing. Licensees must submit any change or revision to the information provided in the application within ten (10) working days of any such change or revision. In addition to the requirements set forth in Section 49-2102 and 49-2104, Idaho Code, applications must include a:

1.4 Certificate of Occupancy from the Local Area Fire Marshall or Local Authorized City or County Agency:

- a. If using a public building, a copy of the certificate issued to the owner of the building.
- b. If using a private building, a copy of the certificate issued to the owner of that building.
- c. If using public school facilities, a copy of the certificate is not required.
- d. The building must meet the standards set forth in the American with Disabilities Act if services are provided to disabled students.

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1.5 Certificate of Automobile Insurance:

Certificate of automobile insurance with a minimum of five-thousand dollars (\$5,000) medical insurance, one-hundred thousand dollars (\$100,000) liability, seven hundred fifty thousand dollars (\$750,000) death and injury, and one-hundred thousand dollars (\$100,000) property loss and property damage for each vehicle to be used for training;

1.6 Criminal History Check. All operators of a Commercial Driving School must undergo a criminal history check using the provisions in Section 49-2103, Idaho Code. Operators are required to undergo a criminal history check every five (5) years.

1.7 School Policies. School policies must meet the attendance and passing criteria as established by the Department of Education.

1.8 Course Content Outline and Sequence. A copy of the course content outline and a scope and sequence for both the in-car and classroom instruction.

1.9 Final Knowledge Test. A copy of the school's final knowledge test given to drivers between the ages of fourteen and one-half (14 ½) and seventeen (17); and

1.10 Behind-the-Wheel Skills Test. A copy of the school's final behind-the-wheel skills test and scoring criteria given to drivers between the ages of fourteen and one-half (14 ½) and seventeen (17).

2.0 COMMERCIAL DRIVING SCHOOL VEHICLES

2.1 Annual and Mechanical Vehicle Inspection. Before a vehicle is used for instruction, a qualified mechanic must inspect the vehicle using the *Driver Education Vehicle Inspection Form* provided by the Department. Vehicles not passing the inspection must be placed out of service until the needed repairs or equipment are made and the vehicle passes re-inspection. A qualified mechanic must mechanically inspect vehicles older than twelve (12) months. Mechanical inspections must be completed every twelve (12) months using the *Twelve (12)-Month Vehicle Inspection Form* provided by the Department or a similar form provided by a qualified mechanic. Following any motor vehicle crash involving the vehicle, the School must withdraw the vehicle from the fleet and not use it for instruction until written proof of repairs, by a certified mechanic, has been submitted to the State Department.

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2.2 Required Equipment. All motor vehicles used to practice driving lessons must be equipped with:

- a. **Dual Control Brake Pedal.** A dual control brake pedal within easy reach of the instructor and capable of bringing the vehicle to a stop in accordance with Section 49-933(7), Idaho Code;
- b. **Operating Safety Belts.** Operating safety belts for all occupants;
- c. **Rearview Mirror.** An inside rear view mirror for the exclusive use of the instructor;
- d. **Side-View Mirror.** Side-view mirror on each side of the vehicle, adjusted for the driver's use; and
- e. **Signs.** Safely secured signs that can be seen from outside the vehicle to the rear and both sides of the vehicle;
 - 1) The signs and letters will be of contrasting colors so as to be clearly readable at one hundred (100) feet in clear daylight.
 - 2) Signs to the rear and sides will have "STUDENT DRIVER," "DRIVER EDUCATION," or "DRIVER'S TRAINING" with not less than two (2) inch high lettering. When replacing worn or installing new signs, the lettering will be not less than two-and one half (2 ½) inches high.
 - 3) Signs to both sides of the vehicle will have the name of the driving school with not less than two-inch (2) high lettering. When replacing worn or installing new signs, the lettering will be not less than two-and one half (2 ½) inches high.

3.0 COLLISION/INCIDENT REPORTS

The School must submit a Collision/Incident Report Form to the Department within fifteen (15) days following any incident involving a driver training vehicle that required an investigation and report by law enforcement.

4.0 COMMERCIAL DRIVING SCHOOL FACILITIES

Classrooms will be in compliance with local and state fire, safety, and health codes. Each school must provide classroom space with individual seating and writing space for each student and at least one (1) sanitary facility.

5.0 STUDENT RECORDS

5.1 Report of Students Enrolled. Schools must submit to the Department a report that includes the total number of students enrolled, passed, failed, and those that did not complete the courses during the previous fiscal year between July 1 and June 30. The report must be submitted by August 1 of each year.

5.2 Maintenance of Student Records. Original student records must be made in ink, or inserted into computer records, and updated after each lesson. All original student records must be maintained for a minimum of three (3) years. Student records must be maintained for all students including those who passed, failed, withdrew, cancelled, or transferred. Each student's record must include:

- a. Student's full name, address, and telephone number;
- b. Commercial Training (CT) permit number;
- c. Attendance records; and
- d. In-Car logs must be maintained in ink. The following information shall be available in the vehicle at all times:
 - 1) Student name;
 - 2) Commercial driver training permit number;
 - 3) Emergency contact name and phone number;
 - 4) Instructor's name;
 - 5) Date and clock time of each drive, including the amount of driving and observation time;
 - 6) Skills taught during each drive;
 - 7) Instructor remarks;
 - 8) Student's initials verifying time and date for each drive and observation;
 - 9) Final behind-the-wheel grade; and
 - 10) Special accommodations, if used.

6.0 MONITORING OF COMMERCIAL DRIVING SCHOOLS

The Department shall monitor commercial driving schools and instructors for instructional and administrative compliance with state requirements.

- 6.1 Access To Facilities.** All proposed or licensed commercial driving schools shall allow Department inspectors access to business facilities, equipment, and records with thirty (30) days advance notice. However, if a complaint is filed, Department inspectors shall be allowed access immediately upon notification to the school.
- 6.2 Documentation.** Schools must fulfill requests for documentation within fifteen (15) working days.
- 6.3. Review Provided to the School.** Upon completion of any written review or inspection, the Department shall have fifteen (15) days in which to provide the commercial driving school owner a copy of such report.

7.0 DRIVING SCHOOL INSTRUCTOR LICENSE

- 7.1 General Requirements.** Applicants must be at least twenty-one (21) years of age and have a high school diploma or a GED equivalent. Applicants for an original or renewal license must possess a valid Idaho Class A-D driver license and have a satisfactory driving record. A driving record will be determined satisfactory only if the applicant:
 - a.** Has not received a court suspension or revocation that is not traffic related;
 - b.** Has not been convicted of a traffic violation that carries a mandatory suspension or revocation of the driver's license within the preceding thirty-six (36) months;
 - c.** Has not been convicted of more than one (1) moving traffic violation within any twelve (12) month period of the previous thirty-six (36) months;
 - d.** Has not been convicted for driving while his driver's license was revoked or suspended.
- 7.2 Medical Examination.** Applicants providing in-car instruction must have a medical examination from a licensed medical doctor that is equivalent to the requirements set forth in the Federal Motor Carriers Safety Regulations (CFR 391.41, incorporated as Appendix A) or a current commercial driver license medical certificate.

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- a. The medical exam must indicate whether the applicant has any ailment, disease, or physical or mental disability(ies) that may cause momentary or prolonged lapses of consciousness or control, that is or may become chronic.
- b. Applicants must not be suffering from a physical or mental disability or disease that may prevent the applicant from maintaining reasonable and ordinary control over a motor vehicle or that could impair the applicant's ability to drive safely or instruct automobile drivers.
- c. The medical exam must be renewed every two (2) years.

7.3 Education Requirements. Required course work must be obtained through state agencies or accredited colleges or universities. Required course work may also be obtained through other professional education organizations as approved by the Department.

- a. Applicants for an original license must have completed at least four (4) semester credit hours in driver education consisting of not less than two (2) semester credit hours of classroom driver education techniques and not less than two (2) semester credit hours of in-car, behind-the-wheel practicum of instructional techniques. Applicants must receive an eighty percent (80%) or higher on the educational and instructional techniques. The applicant must provide proof of completion and scores.
- b. Applicants for an original license must have also completed at least eight (8) semester credit hours in the philosophical, psychological, and methodological foundations of education.
- c. The Department will offer guidance and pre-approval of courses for license applicants.

7.4 Proficiency. Applicants for an original license must pass a written test, administered by the Department, with a grade of eighty percent (80%) or higher. The test will include:

- a. Requirements to obtain a driver license in Idaho;
- b. Driver education and training technical content;
- c. Signs, signals, and markings;
- d. Idaho driving laws; and

- e. Instructional techniques.
- f. Applicants for an original license must submit an ITD skills test form that has been administered by an ITD skills tester within the past twelve (12) months, with a passing score of not more than seven (7) penalty points. If the applicant fails the skills test or knowledge test, the applicant must wait three (3) days before retesting.

7.5 Unsatisfactory Review. If there is an unsatisfactory review, at the discretion of the Department, a re-examination of the knowledge or skills may be required for a license renewal.

7.6 Professional Development. Applicants for a renewal license shall demonstrate completion of at least fifteen (15) hours every two (2) years of professional development training in the area of philosophical, psychological, or methodological foundations of education; behind-the-wheel instruction; or classroom driver education techniques obtained through state agencies, accredited colleges or universities, or other professional education organizations as approved by the Department.

- a. The Department shall offer guidance and pre-approval of courses for license holders seeking professional development annually.
- b. The Department shall offer at least fifteen (15) hours every two (2) years of professional development opportunities for driver education school instructor license holders. Additionally, professional development training may be obtained through other state agencies, accredited colleges or universities, or other professional education organizations.

8.0 CELL PHONE USE DURING IN-CAR TRAINING

Cell phone usage while a student is driving is limited to emergency purposes only.

9.0 APPROVED TEEN DRIVER EDUCATION AND TRAINING PROGRAM (TRAINING PROGRAM)

A teen driver between the age of fourteen and one-half (14 ½) and seventeen (17) may enroll in driver education and training to be eligible for a license at age fifteen (15). The commercial driver-training (CT) permit must be purchased before the student participates in any instruction. The following standards are the Approved Teen Driver Education and Training Program.

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9.1 Enrolled Students

- a. A student is considered enrolled when the student attends the first day of a scheduled class and continues until course completion.
- b. Schools must not allow for open enrollment, which is defined to mean that once the first three (3) hours of classroom instruction has commenced, no new students shall be enrolled.
- c. No student will be admitted to class unless they can prove they have purchased a valid permit.

9.2 Late Enrollment. A student may miss the first three (3) hours of instruction, however, the hours missed must be made up before the student can attend the next scheduled class. Enrollment is not permitted after the first three (3) hours have been conducted.

9.3 Minimum Hours and Days

- a. The Training Program shall be conducted in not less than five (5) weeks/thirty-five (35) calendar days when school is in session and not less than thirty (30) calendar days when school is not in session.
- b. The course shall include thirty (30) clock hours of classroom instruction, six (6) clock hours of behind-the-wheel instruction, and six (6) clock hours of observation, per Section 49-2102, Idaho Code.
- c. The thirty (30) clock hours of classroom instruction requires contact with the instructor. Homework assignments completed outside the classroom shall not be counted in the thirty (30) clock hours.

9.4 Scheduling

- a. Each behind-the-wheel lesson shall be taught in the classroom prior to practicing the lesson during behind-the wheel instruction.
- b. Classroom instruction shall not be substantially or totally completed before starting in-car practice.
- c. Two (2) or more separate classes may not be combined into one class unless the lesson taught is consistent with the program's scope and sequence and lesson content outline.

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- d. Before students begin behind-the-wheel instruction on a public roadway, they shall first be given classroom instruction for the basics of:
 - 1) Approaching the vehicle with awareness;
 - 2) Orientation to controls;
 - 3) Use of vision to control the vehicle;
 - 4) Proper use of the steering wheel;
 - 5) Accelerator and brake control;
 - 6) Turning left and right;
 - 7) Signs, signals, and markings; and
 - 8) Rules of the road.
- e. The number of students scheduled per class must not exceed a maximum of thirty-six (36).
- f. Classroom instruction shall not exceed a maximum twelve (12) hours per week when school is in session and fourteen (14) hours per week when school is not in session.
- g. Classroom instruction must not exceed a maximum of two and one-half (2 1/2) hours per day when school is in session and three (3) hours per day when school is not in session.
- h. Classes scheduled for more than two (2) hours per day may provide no more than a five (5) minute break for each hour of instruction that will be counted as class time.
- i. Classroom instruction must not begin earlier than 6 a.m. nor last later than 10 p.m.

9.5. Behind-the-Wheel Driving Time

- a. The maximum behind-the-wheel driving time for each student is sixty (60) minutes per day.
- b. Behind-the-wheel instruction shall not exceed three (3) hours per week.

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- c. Behind-the-wheel instruction shall not begin earlier than 6 a.m. nor last later than 10 p.m.
- d. Drive time shall not include time spent driving to pick up or drop off students unless the route meets the objective of the drive lesson.
- e. Of the six (6) hours required for behind-the-wheel driving time, at least two (2) hours must be conducted during daylight.

9.6 Observation Time

- a. Students may observe from the rear seat for a maximum of two (2) hours per day.
- b. The observation times and dates will be verified by the student's signature on an observation log.
- c. The observation log must be kept on file with the student's records.

9.7 Vehicle Occupants

- a. Only the instructor and student driver may occupy the front seats.
- b. In-car instruction must include not less than two (2) or more than three (3) students in the car.
- c. One (1) student may be scheduled when it is determined to be in the best interest of the student. This exception must have prior written permission from the parent or legal guardian.
- d. No person can occupy a rear seat unless involved as a student, parent or guardian, instructor or student enrolled in a driver education teacher preparation course, translator, or supervisor of the driver-training program.

9.8 Multiple-Car Driving Range. Two (2) hours of driving on a multiple-car driving range may be substituted for one (1) hour of behind-the-wheel instruction. No more than three (3) hours of the total six (6) hours may be substituted using multiple-car driving range instruction.

9.9 Simulation Instruction. Three (3) hours using a simulator may be substituted for one (1) hour of behind-the-wheel instruction. No more than three (3) hours of the total six (6) hours may be substituted using simulation instruction.

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- 9.10 Program Substitution.** No more than three (3) hours of the total six (6) hours may be substituted using a combination of multiple-car driving range or simulation instruction.
- 9.11 Make Up Policy.** A make up policy shall ensure that all required hours of instruction and course content are completed. Make up lessons shall be completed prior to taking either the final knowledge or behind-the wheel skills test. Make up lessons may be provided on an individual basis.
- 9.12 Student Instruction Materials**
- a. Each student shall have access to instruction materials during the course. The instruction material shall be equal to, or exceed, the content of a current state-adopted driver education textbook and be compatible with the school's approved curriculum content outline. Textbooks, if used, shall be selected from the list adopted by the Department.
 - b. Each student shall have access to a current copy of the *Idaho Driver's Manual*. The *Idaho Driver's Manual* cannot be the sole source of instructional material
- 9.13 Practice Guide/Log.** Each student or their parent or legal guardian shall be informed of the requirements of the Graduated Driver Licensing law. They shall also be provided with a *Supervision Driver Practice Guide and Log* for their use during the required four (4) months of the Graduated Driver Licensing practice period.
- 9.14 Student List.** A completed Student List of the teen drivers enrolled in the Driver Education and Training Program shall be signed and submitted to the DMV within three (3) business days after class completion.
- 9.15 Transfer Students From Out Of State.** Students completing driver education in another state must have received an equivalent to Idaho's Approved Teen Driver Education and Training Program standards. The documentation must be on an official school form and signed by the instructor or administrator. Students not meeting this standard must complete an Idaho approved Driver Education and Training Program to be eligible for a license before age seventeen (17).

10.0 ASSESSMENTS

The standards for passing the Approved Teen Driver Education and Training Program shall be clearly set forth in writing to students prior to starting the course of instruction.

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- 10.1 Areas Of Assessment.** Students shall be assessed for knowledge, skills, and attitude. A student who fails in any one (1) of the three (3) grading criteria will be failed for the entire course.
- 10.2 Supporting Documentation.** Supporting documentation shall be provided that proves the student was assessed for knowledge and understanding of the classroom lessons.
- 10.3 Course Completion.** Students shall earn a grade of eighty percent (80%) or higher for successful completion of the course.
- a. A final knowledge test shall be administered at the completion of the course.
 - b. A final behind-the-wheel test shall be administered at the completion of the course. Each school shall develop its own standardized form with planned, pre-determined routes for use by the school's instructors.

11.0 SUSPENSION, REVOCATION, OR DENIAL OF COMMERCIAL DRIVER SCHOOL OR INSTRUCTOR LICENSE

- 11.1 Grounds.** The Board may revoke, suspend, or deny any license authorized under Title 49, Chapter 21, Idaho Code, upon any of the following grounds:
- a. Noncompliance with Title 49, Chapter 21, Idaho Code or applicable Board rules;
 - b. Making any material statement of fact in the application for a license that the applicant knows to be false;
 - c. Conviction, finding of guilt, withheld judgment, or suspended sentence, in this state or any other, for a crime involving moral turpitude; or
 - d. Conviction, finding of guilt, withheld judgment, or suspended sentence, in this state or any other, for any felony or other crime listed in Section 33-1208, Idaho Code
- 11.2 Notice And Opportunity For Hearing.** Before denial, revocation, or suspension of a license is final, the Board shall provide opportunity for a hearing as set forth in Title 67, Chapter 52, Idaho Code and IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General". The applicant, licensee, or their representative may appear and show cause as to why the license should not be denied, suspended, or

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revoked. Pending final action, or expiration of the appeal period or process, the status quo of the license will be preserved.

- a. The applicant or licensee shall be notified by certified mail of the action to deny, suspend, or revoke a license and the reasons for denial, suspension, or revocation. Such notice will also set forth the applicant or licensee's appeal rights.
- b. If requested in writing by the applicant or licensee within twenty-one (21) days after receipt of the notice to deny, suspend, or revoke a license, the Board shall provide for a hearing.
- c. Any such hearing shall be conducted by an impartial hearing officer appointed by the Board and shall be an individual instructed in conducting administrative hearings.
- d. Notice of time and place of such a hearing shall be given in writing to the person requesting the hearing at least thirty (30) days prior to such hearing.
- e. Any person complained against may appear in person and may be represented by legal counsel, and may produce, examine, and cross-examine witnesses. If he/she chooses to do so, the person complained against may submit, for the consideration of the hearing officer, a statement in writing, in lieu of oral testimony, but any such statement will be under oath and the person complained against will be subject to cross-examination. The hearing officer may determine to suspend, deny, or revoke a license; or may provide a probation with certain conditions to be met before a license shall continue or be granted; or may order a letter of reprimand be sent to the licensee. Any action of the hearing officer will be included in the permanent file of the applicant or licensee.
- f. On the basis of such a hearing, or upon failure of the applicant or licensee to request such a hearing, the Board shall notify, by certified mail to the applicant or the licensee, the final decision to deny, suspend, or revoke approval of the license. The final decision will be a Preliminary Order, and contain the language required by Chapter 52, Title 67, Idaho Code, and IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General", advising the licensee or applicant of any rights for further review of the decision.
- g. The applicant or licensee may appeal the final decision by filing an appeal in District Court within twenty-eight (28) days following receipt of the notification from the Department.

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- h.** Whenever any license has been denied, suspended, or revoked, the Board may, upon a clear showing that the cause constituting grounds for denial, suspension, or revocation no longer exists, issue or reinstate a license either conditionally or unconditionally.

Federal law prohibits discrimination on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status in any educational programs or activities receiving federal financial assistance. (Title VI and VII of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.)

It is the policy of the Idaho State Department of Education not to discriminate in any educational programs or activities or in employment practices.

Inquiries regarding compliance with this nondiscriminatory policy may be directed to State Superintendent of Public Instruction, P.O. Box 83720, Boise, Idaho 83720-0027, (208) 332-6800, or to the Director, Office of Civil Rights, Seattle Office, U.S. Department of Education, 915 Second Ave

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SUBJECT

Approval of Temporary and Proposed Rules Governing Charter Schools.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-5203(6), Idaho Code.

BACKGROUND

The legislature approved significant amendments to the state's charter school act during the 2004 legislative session. On April 1, 2004, the Governor signed the bill and the law became immediately effective. The new law requires the State Board of Education to adopt rules, subject to law, to establish a consistent application and review process for the approval and maintenance of all public charter schools.

DISCUSSION

These rules clarify the limitations on new public charter schools and the procedures the Office of the State Board of Education will utilize to track the number of charters being filed. The rules further clarify the assistance that will be provided by the Department of Education and the requirement for charter petitioners to attend a workshop and receive a completed legal sufficiency review from the Department prior to filing their petition with an authorized chartering entity. The rules also permit the Board to set out petition requirements and model admission procedures. The rules also clearly set out appeal and revocation procedures. Finally, the rules discuss the authority of the Executive Director to designate public charter schools as a Local Education Agency (LEA).

IMPACT

If the Board approves the Rules Governing Public Charter Schools they will be retroactively effective to April 1, 2004, the same date as the charter school legislation became effective. If the Legislature concurs, all petitioners and Public Charter Schools will be required to comply with the requirements.

If the Board rejects the Rules Governing Public Charter Schools, Public Charter Schools will remain under the requirements currently set out in statute without any further clarification in rule.

STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval, of the Rules Governing Public Charter Schools as both temporary and proposed.

BOARD ACTION

A motion to approve, as temporary and proposed, the State Board of Education Rules Governing Public Charter Schools:

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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TITLE 33
EDUCATION
CHAPTER 52
PUBLIC CHARTER SCHOOLS

33-5203. AUTHORIZATION -- LIMITATIONS.

(1) The creation of public charter schools is hereby authorized. Public charter schools shall be part of the state's program of public education.

(2) The number of charter schools, which may be approved shall be limited in number in accordance with the following:

(a) Not more than six (6) newly-chartered public schools may be approved for any one (1) school year, and

(b) Not more than one (1) newly-chartered public school may be granted for any one (1) school district for a school year, and

(c) No whole school district may be converted to a charter district or any configuration which includes all schools as public charter schools.

(3) A public charter school may be formed either by creating a new public charter school, which charter may be granted by any authorized chartering entity, or by converting an existing traditional public school to a public charter school, which charter may only be granted by the board of trustees of the school district in which the existing public school is located.

(4) No charter shall be granted under this chapter:

(a) Which provides for the conversion of any existing private or parochial school to a public charter school.

(b) To a for-profit entity or any school which is operated by a for-profit entity, provided however, nothing herein shall prevent the board of directors of a public charter school from legally contracting with for-profit entities for the provision of products or services that aid in the operation of the school.

(c) By the board of trustees of a school district if the public charter school's physical location is outside the boundaries of the authorizing school district. The limitation provided in this subsection (4)(c) does not apply to a home-based public virtual school.

(5) A public virtual school charter may be granted by the public charter school commission. In addition, a charter may also be approved and granted by the state board of education pursuant to section 33-5207(5)(b), Idaho Code.

(6) The state board of education shall adopt rules, subject to law, to establish a consistent application and review process for the approval and maintenance of all public charter schools.

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(7) The state board of education shall be responsible to designate those public charter schools that will be identified as a local education agency (LEA) as such term is defined in 34 CFR 300.18; however, only public charter schools chartered by the board of trustees of a school district may be included in that district's LEA.

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IDAPA 08
TITLE 02
CHAPTER 04

08.02.04 – RULES GOVERNING PUBLIC CHARTER SCHOOLS

000. LEGAL AUTHORITY.

In accordance with Sections 33-105, 33-5203, and 33-5213, Idaho Code, the Board shall promulgate rules implementing the provisions of Title 33, Chapter 52, Idaho Code. (4-1-04)T

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 08.02.04, Rules Governing Public Charter Schools. (4-1-04)T

02. Scope. These rules establish a consistent application and review process for the approval and maintenance of public charter schools in Idaho. (4-1-04)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, written interpretations, if any, of the rules of this chapter are available at the offices of the Board. (4-1-04)T

003. ADMINISTRATIVE APPEALS.

The provisions found in Sections 400 through 404 shall govern administrative appeals of public charter schools. (4-1-04)T

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into these rules. (4-1-04)T

005. OFFICE INFORMATION.

01. Office Hours. The offices of the Board are open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays. (4-1-04)T

02. Street Address. The offices of the Board are located at 650 W. State Street, Boise, Idaho. (4-1-04)T

03. Mailing Address. The mailing address of the Board is P.O. Box 83720, Boise, Idaho 83720-0037. (4-1-04)T

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04. Telephone Number. The telephone number of the Board is (208) 334-2270. (4-1-04)T

05. Facsimile. The facsimile number of the Board is (208) 334-2632. (4-1-04)T

06. Electronic Address. The electronic address of the Board is www.idahoboardofed.org. (4-1-04)T

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (4-1-04)T

007. – 009. (RESERVED).

010. DEFINITIONS.

01. Authorized Chartering Entity. “Authorized chartering entity” is defined in Section 33-5202A(1), Idaho Code, and means either the local board of trustees of a school district in this state, or the Idaho Public Charter School Commission. (4-1-04)T

02. Board. “Board” means the Idaho State Board of Education. (4-1-04)T

03. Charter. “Charter” is defined in Section 33-5202A(2), Idaho Code, and means the grant of authority approved by the authorized chartering entity to the board of directors of the charter school. (4-1-04)T

04. Commission. “Commission” means the Idaho Public Charter School Commission, as provided by Section 33-5213, Idaho Code. (4-1-04)T

05. Department. “Department” means the Idaho Department of Education. (4-1-04)T

06. Founder. “Founder” is defined in Section 33-5202A(3), Idaho Code, and means a person, including employees or staff of a public charter school, who makes a material contribution toward the establishment of a public charter school in accordance with criteria determined by the board of directors of the public charter school, and who is designated as such at the time the board of directors acknowledges and accepts such contribution. The criteria for determining when a person is a founder shall not discriminate against any person on any basis prohibited by the federal or state constitutions or any federal, state or local law. The designation of a person as a founder, and the admission preferences available to the children of a founder, shall not constitute pecuniary benefits. (4-1-04)T

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07. Petition. “Petition” is defined in Section 33-5202A(4), Idaho Code, and means the document submitted by a person or persons to the authorized chartering entity to request the creation of a public charter school. (4-1-04)T

08. Petitioners. “Petitioners” means the group of persons who submit a petition to establish a new public charter school, or to convert an existing traditional public school to a public charter school, as provided by Section 33-5205, Idaho Code, and the procedures described in Sections 200 through 205. (4-1-04)T

09. Public Charter School. “Public charter school” is defined in Section 33-5202A(6), Idaho Code, and means a school that is authorized under the Public Charter Schools Act, Title 33, Chapter 52, Idaho Code, to deliver public education in Idaho. (4-1-04)T

10. Public Virtual School. “Public virtual school” is defined in Section 33-5202A(6), Idaho Code, and means a public charter school that may serve students in more than one (1) school district and that provides instruction to pupils primarily through virtual distance learning or online technologies. (4-1-04)T

11. School Year. “School year” means the period beginning on August 1 and ending the next succeeding July 31 of each year. (4-1-04)T

011. – 099. (RESERVED).

100. LIMITATIONS ON NEW PUBLIC CHARTER SCHOOLS.

01. Number Of New Public Charter Schools Approved For A School Year. Section 33-5203(2), Idaho Code, limits the number of new public charter schools that may be approved for a school year to not more than six (6), and further limits the number of new public charter schools that may be approved for a single school district for a school year to not more than one (1). The Board shall use the procedure described in Section 100 herein for implementing this limitation on the approval of new public charter schools. (4-1-04)T

02. Responsibilities Of Petitioners On Grant Of Charter. Upon the approval of a new public charter school by an authorized chartering entity, the petitioners shall be responsible for providing the Board with written notice of such approval, and shall submit a copy of the final approved petition to the Board, as required by Section 33-5206(5), Idaho Code. In addition, in the event the final approved petition is revised at any time, as permitted by Section 33-5209(1), Idaho Code, and pursuant to the procedures described in Section 303, the petitioners shall also be responsible for submitting copies of any such charter revisions to the Board. (4-1-04)T

03. Chronological Numbering System. The Board shall record the date and the time that it receives each final approved petition for a new public charter school. In addition, the Board shall assign a number to each final approved petition that it receives

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on a chronological basis, beginning with the numeral “1,” and continuing sequentially thereafter. The Board shall maintain a chronological list of approved charters for the purpose of determining which public charter schools shall be permitted to begin operations during a given school year. (4-1-04)T

04. Authorization To Begin Operations. The six (6) public charter schools that will be authorized to begin operations during a given school year shall be those public charter schools that have been assigned the lowest chronological number by the Board, and which are eligible to begin operations at some time during such school year. A public charter school will be considered “eligible” in accordance with the preceding sentence if the public charter school has received approval from its authorized chartering entity to begin operations at some time during such school year. In addition, a public charter school will be considered “eligible” only if no other public charter school located within the same school district has been assigned a lower chronological number, and has been approved to begin operations during such school year. A public charter school that is not authorized to begin operations because it is not “eligible,” as described herein, shall maintain its position on the Board’s chronological list of approved charters, and shall be under consideration for authorization to begin operations during the next succeeding school year. A public charter school that is approved by an authorized chartering entity, but which does not begin operations because it is not “eligible,” as described herein, must confirm with the Board, on or before March 1 preceding the next succeeding school year, that it is able to begin operations during such school year. (4-1-04)T

05. Notification. The Board shall, as soon as reasonably practicable after determining that a public charter school will be authorized to begin operations during a given school year, provide written notification to the petitioners. The Board shall also send a copy of such notification to the authorized chartering entity that approved the charter. (4-1-04)T

200. PROCEDURE FOR FORMATION OF A NEW PUBLIC CHARTER SCHOOL.

01. Assistance With Petitions. The Department shall, in accordance with Section 33-5211, Idaho Code, provide technical assistance to public charter school petitioners. The Department shall undertake this statutory responsibility by conducting public charter school workshops, as discussed in Subsection 200.02 herein. (4-1-04)T

02. Public Charter School Workshops. The purpose of the public charter school workshops shall be to provide public charter school petitioners with a brief overview of a variety of educational and operational issues relating to public charter schools, as well as to answer questions and to provide technical assistance, as may be necessary, to aid petitioners in the preparation of public charter school petitions. Petitioners, or a representative on behalf of petitioners, must attend a public charter school workshop prior to submitting a petition to form a proposed new public charter school with an authorized chartering entity. (4-1-04)T

03. Legal Sufficiency Reviews. Prior to filing a petition with an authorized chartering entity, petitioners shall submit the proposed petition to the Department, which will conduct a legal sufficiency review to determine whether the petition complies with statutory requirements. If the Department determines that a petition complies with statutory requirements, then the petitioners may file the petition with an authorized chartering entity. (4-1-04)T

201. POLICIES AND PROCEDURES ADOPTED BY AN AUTHORIZED CHARTERING ENTITY.

01. Charter School Policies And Procedures. An authorized chartering entity may adopt its own charter school policies and procedures describing the charter school petition process and the procedures that petitioners must comply with in order to form a new public charter school, including a public virtual school. Petitioners must comply with the charter school policies and procedures adopted by the authorized chartering entity with which a petition is filed. Such charter school policies and procedures must comply with Title 33, Chapter 52, Idaho Code, and the rules promulgated by the Board. If there is any conflict between the charter school policies and procedures adopted by an authorized chartering entity and rules promulgated by the Board, then the Board rules shall govern. (4-1-04)T

02. Application Deadline. The date by which a petition must be filed with an authorized chartering entity in order for a proposed new charter school to be eligible to begin operations during a given school year shall be not later than the first of February preceding such school year. A petition filed after such date may not be rejected by an authorized chartering entity as untimely, but if the petition is approved and the charter is granted, the proposed public charter school will not be eligible to begin operations until the next succeeding school year at the earliest, and only if authorized to begin operations during such school year in accordance with the approval procedure described in Subsection 100.04. (4-1-04)T

202. PETITION REQUIREMENTS.

01. Format. A petition to form a new or conversion public charter school shall be submitted in accordance with instructions, and in such format, as may be required by the Board. Notwithstanding, the petition must include, at a minimum, the information described in Section 33-5205, Idaho Code. (4-1-04)T

203. ADMISSION PROCEDURES

01. Model Admission Procedures. In accordance with Section 33-5205(i), Idaho Code, a petition to establish a new public charter school must describe the admission procedures to be utilized by the public charter school. In order to ensure that public charter schools utilize a fair and equitable selection process for initial admission to and enrollment in a public charter school, as well as admission to and enrollment in a

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public charter school during subsequent school years, the Board has approved model admission procedures that may be utilized and adopted by petitioners. The approved model admission procedures are described in Subsections 203.03 through 203.13. Petitioners are not required to adopt the Board's model admission procedures, but must demonstrate a reason for varying from the Board's approved procedures. (4-1-04)T

02. Enrollment Opportunities. Section 33-5205(3)(s), Idaho Code, requires petitioners to describe the process by which the citizens in the area of attendance shall be made aware of the enrollment opportunities of the public charter school. Petitioners shall ensure that such process includes the dissemination of enrollment information, printed in both English and Spanish, at least three (3) months in advance of the enrollment deadline established by the public charter school each year, to be posted in highly visible and prominent locations within the area of attendance of the public charter school. In addition, petitioners shall ensure that such process includes the dissemination of press release and/or public service announcements, in both English and Spanish, to media outlets that broadcast within, and/or disseminate printed publications within, the area of attendance of the public charter school; petitioners must ensure that such announcements are broadcast and/or published by such media outlets on not less than three (3) occasions, beginning not later than fourteen (14) days prior to the enrollment deadline each year. Finally, such enrollment information shall advise that all prospective students will be given the opportunity to enroll in the public charter school, regardless of race, color, national or ethnic origin, religion, gender, social or economic status, or special needs. (4-1-04)T

03. Enrollment Deadline. Each year a public charter school shall establish an enrollment deadline, which shall be the date by which all requests for admission to attend the public charter school for the next school year must be received. (4-1-04)T

04. Requests For Admission. A parent, guardian, or other person with legal authority to make decisions regarding school attendance on behalf of a child in this state, may make a request in writing for such child to attend a public charter school. In the case of a family with more than one child seeking to attend a public charter school, a single request for admission must be submitted on behalf of all siblings. The request for admission must be submitted to, and received by, the public charter school at which admission is sought on or before the enrollment deadline established by the public charter school. The request for admission shall contain the name, address, and telephone number of each prospective student in a family. If the initial capacity of the public charter school is insufficient to enroll all prospective students, then an equitable selection process, such as a lottery or other random method, shall be utilized to determine which prospective students will be admitted to the public charter school, as described in Subsection 203.09. Only those written requests for admission submitted on behalf of prospective students that are received prior to the enrollment deadline established by the public charter school shall be permitted to participate in the equitable selection process. (4-1-04)T

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05. Admission Preferences. A public charter school shall establish an admission preference for students residing in the attendance area of the public charter school, as provided in Section 33-5206, Idaho Code. In addition, a public charter school may establish admission preferences, as authorized by Section 33-5205(3)(i), Idaho Code, for students returning to the public charter school, for children of founders, and for siblings of students already selected to attend the public charters school. Such admission preferences must be approved by the authorized chartering entity and described in the final approved petition. (4-1-04)T

06. Priority Of Preferences For Initial Enrollment. If a public charter school determines to establish admission preferences for initial enrollment of students in a public charter school, then the selection hierarchy with respect to such preferences shall be as follows: (4-1-04)T

a. First, to children of founders, provided that this admission preference shall be limited to not more than ten percent (10%) of the initial capacity of the public charter school. (4-1-04)T

b. Second, to siblings of pupils already selected by the lottery or other random method. (4-1-04)T

c. Third, to prospective students residing in the attendance area of the public charter school. (4-1-04)T

d. Fourth, an equitable selection process, such as by lottery or other random method. (4-1-04)T

07. Priority of Preferences for Subsequent Enrollment Periods. If a public charter school determines to establish admission preferences for enrollment of students in a public charter school in subsequent school years, then the selection hierarchy with respect to such preferences shall be as follows: (4-1-04)T

a. First, to pupils returning to the public charter school in the second or any subsequent year of operation. (4-1-04)T

b. Second, to children of founders, provided that this admission preference shall be limited to not more than ten percent (10%) of the capacity of the public charter school. (4-1-04)T

c. Third, to siblings of pupils already enrolled in the public charter school. (4-1-04)T

d. Fourth, to prospective students residing in the attendance area of the public charter school. (4-1-04)T

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- e. Fifth, an equitable selection process, such as by lottery or other random method. (4-1-04)T

08. Proposed Attendance List. Each year the public charter school shall maintain a proposed attendance list containing the names of all prospective students on whose behalf a request for admission was timely received by the public charter school, separated by grade level. In addition, the proposed attendance list shall contain columns next to the name of each student, in which the public charter school will designate admission preferences applicable to each prospective student. The columns shall be designated "A" for returning student preference; "B" for founders preference; "C" for sibling preference, with a corresponding cross-reference to each of the siblings of the prospective student; and "D" for attendance area preference. (4-1-04)T

09. Equitable Selection Process. If the initial capacity of a public charter school is insufficient to enroll all prospective students, or if capacity is insufficient to enroll all prospective students in subsequent school years, then the public charter school shall determine the students who will be offered admission to the public charter school by conducting a fair and equitable selection process. The selection procedure shall be conducted as follows. (4-1-04)T

a. The name of each prospective student on the proposed attendance list shall be individually affixed to or written on a 3" x 5" index card. The index cards shall be separated by grade. The selection procedure shall be conducted one (1) grade level at a time, beginning with the highest grade. The index cards containing the names of the prospective students for the grade level being selected shall be placed into a single container. (4-1-04)T

b. A neutral, third party shall draw each index card from the container, and such person shall write the selection number on each index card as drawn, beginning with the numeral "1" and continuing sequentially thereafter. In addition, after selecting each index card, the name of the person selected will be compared to the proposed attendance list to determine whether any preferences are applicable to such person. (4-1-04)T

c. If the name of the person selected is a returning student, then the letter "A" shall be written on such index card. If the name of the person selected is the child of a founder, the letter "B" shall be written on such index card. If the name of the person selected is the sibling of another student that has already been selected for admission to the public charter school, then the letter "C" shall be written on such index card. If the name of the person selected resides in the attendance area of the public charter school, then the letter "D" shall be written on such index card. (4-1-04)T

d. With regard to the sibling preference, if the name of the person selected has a sibling in a higher grade who has already been selected, but the person previously selected did not have the letter "C" written on his or her index card (because a sibling had not been selected for admission prior to the selection of the index card of

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that person), then the letter "C" shall now be written on that person's index card at this time. (4-1-04)T

e. With regard to the founder's preference, a running tally shall be kept during the course of the selection procedure of the number of index cards, in the aggregate, that have been marked with the letter "B." When the number of index cards marked with the letter "B" equals ten percent (10%) of the proposed capacity of the public charter school for the school year at issue, then no additional index cards shall be marked with the letter "B," even if such person selected would otherwise be eligible for the founders preference. (4-1-04)T

f. After all index cards have been selected for each grade, then the index cards shall be sorted for each grade level in accordance with the following procedure. All index cards with the letter "A" shall be sorted first, based on the chronological order of the selection number written on each index card; followed by all index cards with the letter "B," based on the chronological order of the selection number written on each index card; followed by all index cards with the letter "C," based on the chronological order of the selection number written on each index card; followed by all index cards with the letter "D," based on the chronological order of the selection number written on each index card; followed, finally, by all index cards containing no letters, based on the chronological order of the selection number written on each index card. (4-1-04)T

g. After the index cards have been sorted for each grade level, the names shall be transferred by grade level, and in such order, to the final selection list. (4-1-04)T

11. Final Selection List. The names of the persons in highest order on the final selection list shall have the highest priority for admission to the public charter school in that grade, and shall be offered admission to the public charter school in such grade until all seats for that grade are filled. (4-1-04)T

12. Notification And Acceptance Process.

a. With respect to students selected for admission to the public charter school, within seven (7) days after conducting the selection process, the public charter school shall send an offer letter to the parent, guardian, or other person who submitted a request for admission on behalf of a student, advising such person that the student has been selected for admission to the public charter school. The offer letter must be signed by such student's parent or guardian, and returned to the public charter school by the date designated in such offer letter by the public charter school. (4-1-04)T

b. With respect to a prospective student not eligible for admission to the public charter school, within seven (7) days after conducting the selection process, the public charter school shall send a letter to the parent, guardian, or other person who submitted a request for admission on behalf of such student, advising such person that

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the prospective student is not eligible for admission, but will be placed on a waiting list and may be eligible for admission at a later date if a seat becomes available. (4-1-04)T

c. If a parent, guardian, or other person receives an offer letter on behalf of a student and declines admission, or fails to timely sign and return such offer by the date designated in such offer letter by the public charter school, then the name of such student will be stricken from the final selection list, and the seat that opens in that grade will be made available to the next eligible student on the final selection list. (4-1-04)T

d. If a student withdraws from the public charter school during the school year for any reason, then the seat that opens in that grade will be made available to the next eligible student on the final selection list. (4-1-04)T

13. Subsequent School Years. The final selection list for a given school year shall not roll over to the next subsequent school year. If the capacity of the public charter school is insufficient to enroll all prospective students during the next subsequent school year, then a new equitable selection process shall be conducted by the public charter school for such school year. (4-1-04)T

204. FILING A PETITION.

01. New Public Charter School. To institute the approval process for the formation of a new public charter school, the petitioners must file a petition with the local board of trustees of the school district in which the proposed new public charter school will be located, as required by Section 33-5205(a), Idaho Code. (4-1-04)T

02. New Public Virtual School. The petitioners for a new public virtual school that will serve students in more than one (1) school district in the state may choose to file the petition for approval with the Commission, as an authorized chartering entity, as permitted by Section 33-5203(5), Idaho Code, instead of with the local board of trustees of the school district in which the proposed new public virtual school will be located. (4-1-04)T

03. Notification To The Board. Petitioners shall promptly notify the Board that a petition has been filed with an authorized chartering entity. (4-1-04)T

205. REVIEW OF PETITIONS.

01. Initial Review Of Petition. Prior to filing a petition with an authorized chartering entity, petitioners shall submit the draft petition to the Department, which shall conduct a legal sufficiency review of the draft petition for the purpose of determining whether it was prepared in accordance with the instructions furnished by, and in the format required by, the Board, and contains the information required by Section 33-5205, Idaho Code. (4-1-04)T

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02. Timeframe For Initial Review. The Department shall complete the initial review of the draft petition as soon as reasonably practicable after the date the draft petition is received by the Department, but not later than thirty (30) days after receipt.

(4-1-04)T

03. Notification Of Findings After Initial Review. The Department shall notify the petitioners promptly in writing describing the results of the initial review of the draft petition, and, if applicable, identify any deficiencies in the draft petition.

(4-1-04)T

04. Substantive Review Of Petition. The substantive review of the merits of a petition by an authorized chartering entity shall be for the purpose of determining whether petitioners have demonstrated compliance with Title 33, Chapter 52, Idaho Code. In order to promote a fair and equitable review of petitions for public charter school formations in the state, the Board may adopt model evaluation procedures for use by authorized chartering entities.

(4-1-04)T

05. Timeframe For Substantive Review. An authorized chartering entity must comply with the procedural requirements described in Section 33-5205, Idaho Code.

(4-1-04)T

a. Unless a petition is referred to the Commission as authorized by Section 33-5205(1)(a)(iii), Idaho Code, and as discussed in Subsection 206.01, an authorized chartering entity must hold a meeting open to the public for the purpose of considering the merits of the petition, as well as the level of employee and parental support for the proposed public charter school. In the case of a petition being reviewed by the Commission, the meeting must also include any oral or written comments from an authorized representative of the school district in which the proposed public charter school would be physically located regarding the merits of the petition and any potential impacts on the school district.

(4-1-04)T

b. An authorized chartering entity must make a decision on whether to approve the petition and grant the charter within sixty (60) days after receipt of the petition.

(4-1-04)T

c. An authorized chartering entity and the petitioners may mutually agree to extend the date by which a decision is required to be made on the merits of the petition up to an additional sixty (60) days. In addition, the authorized chartering entity may unilaterally determine to extend the date by which a decision is required to be made up to an additional sixty (60) days if it determines the petition is incomplete or fails to contain the requisite signatures.

(4-1-04)T

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06. If Approved, Charter Is Granted, Subject To Limitations On Number Of New Charters.

a. If a petition is approved, then the authorized chartering entity must promptly prepare for petitioners a written notice of its decision to approve the charter. It shall be the responsibility of the petitioners to provide the Board with this written notice of approval, and with a copy of the final approved petition, in accordance with the procedure described in Section 100. (4-1-04)T

b. The grant of a charter by an authorized chartering entity does not provide the petitioners with any right to begin operating the public charter school during a particular school year, or in accordance with the terms and conditions of the charter, as such approval is conditioned upon the limitations on the number of new public charter schools that may be approved for a school year, as described in Section 100. (4-1-04)T

07. If Denied, Petitioners May Appeal.

a. If a petition is denied, then the authorized chartering entity must promptly prepare for petitioners a written notice of its decision to deny the charter. The written decision shall include all of the reasons for the denial, and shall also include a reasoned statement that states and/or explains the criteria and standards considered relevant by the authorized chartering entity, the relevant contested facts relied upon, and the rationale for the decision based on the applicable statutory provisions and factual information presented to the authorized chartering entity. (4-1-04)T

b. The petitioners may appeal the decision of the authorized chartering entity, in accordance with the procedures described in Sections 401 through 402. (4-1-04)T

206. WITHDRAWAL OF PETITION; REFERRAL OF PETITION TO THE COMMISSION.

01. Referral Of Petition By Local Board Of Trustees. A board of trustees of a local school district may refer the petition for consideration to the Commission, as authorized by Section 33-5205(1)(a)(iii), Idaho Code. If a board of trustees of a local school district determines to refer a petition to the Commission, then it shall provide prompt notice of such decision to the petitioners. In addition, the board of trustees of a local school district must promptly forward the petition to the Commission. (4-1-04)T

02. Withdrawal By Charter Petitioners. Notwithstanding, if a board of trustees of a local school district does not refer a petition to the Commission, the charter petitioners may withdraw the petition from the local board of trustees and submit the petition to the Commission for consideration if, within thirty (30) days after the submission of the petition with the authorized chartering entity, the parties have not

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reached mutual agreement on the provisions of the charter, after a reasonable and good faith effort. (4-1-04)T

03. Reasonable And Good Faith Effort. A board of trustees of a local school district will be considered to have made a reasonable and good faith effort to consider the merits of a petition if it has taken an affirmative step to substantively review the petition by posting notice of an open meeting for the purpose of considering the merits of the petition, and such meeting is scheduled to occur not later than thirty (30) days after the date of submission of the petition with the authorized chartering entity.

(4-1-04)T

207. – 299. (RESERVED).

300. PUBLIC CHARTER SCHOOL RESPONSIBILITIES.

01. General. The governing board of a public charter school shall be responsible for ensuring that the public charter school is adequately staffed, and that such staff provides sufficient oversight over all public charter school operational and educational activities. (4-1-04)T

02. Compliance With Terms Of Charter. The governing board of a public charter school shall be responsible for ensuring that the school is in compliance with all of the terms and conditions of the charter approved by the authorized chartering entity of the school, as reflected in the final approved petition filed with the Board. In addition, the governing board of the public charter school shall be responsible for ensuring that the school complies with all applicable federal and state education standards, as well as all applicable state and federal laws, rules and regulations, and policies. (4-1-04)T

03. Annual Reports. The governing board of a public charter school must submit an annual report to the authorized chartering entity of the school, as required by Section 33-5206(7), Idaho Code. The report shall contain the audit of the fiscal and programmatic operations as required in Section 33-5203(j), Idaho Code, a report on student progress based on the public charter school's student educational standards identified in Section 33-5205(3)(b), Idaho Code, and a copy of the public charter school's accreditation report. In addition, the report shall contain any additional information reasonably requested by the authorized chartering entity of the public charter school. The annual report must be filed no later than July 31 of each year.

(4-1-04)T

04. Operational Issues. The governing board of the public charter school shall be responsible for promptly notifying its authorized chartering entity if it becomes aware that the public charter school is not operating in compliance with the terms and conditions of its charter. Thereafter, the governing board of the public charter school shall also be responsible for advising its authorized chartering entity with follow-up information as to when, and how, such operational issues are finally resolved and corrected. (4-1-04)T

301. AUTHORIZED CHARTERING ENTITY RESPONSIBILITIES.

01. Compliance Monitoring. Notwithstanding Section 300, the authorized chartering entity of a public charter school shall be responsible for ensuring that the public charter school operates in accordance with all of the terms and conditions of the charter approved by the authorized chartering entity, as reflected in the final approved petition filed with the Board, and as provided by Section 33-5209(1), Idaho Code. The authorized chartering entity also shall be responsible for ensuring that the public charter school complies with all applicable federal and state education standards, as well as all applicable state and federal laws, rules and regulations, and policies. (4-1-04)T

02. Identification Of Deficiencies. If an authorized chartering entity determines that a public charter school's operations are deficient, then the authorized chartering entity shall provide the school with prompt written notice of such deficiencies, and shall provide the public charter school a reasonable opportunity to cure such defect. If a public charter school fails to cure a defect after receiving reasonable notice and an opportunity to cure such defect, then the authorized chartering entity may take action to revoke the charter, as permitted by Section 33-5209(3), Idaho Code, and in accordance with Section 303. (4-1-04)T

302. CHARTER REVISIONS

A public charter school may reasonably request that its authorized chartering entity revise its charter, as authorized by Section 33-5209(1), Idaho Code. (4-1-04)T

01. Request For Revision. A public charter school that desires to revise its charter must file a written request describing the proposed revisions with the public charter school's authorized chartering entity. (4-1-04)T

02. Limited Review. The authorized chartering entity shall only be permitted to review and consider the proposed revisions to the charter, and shall not have authority to make other charter revisions that are not requested by the public charter school. (4-1-04)T

03. Procedure For Reviewing Request For Charter Revision. The authorized chartering entity shall have thirty (30) days from the date the proposal for a charter revision is submitted to it in which to issue its decision on the request for charter revision. If permitted by applicable policies and procedures adopted by the authorized chartering entity, the review of a request for a charter revision may be delegated to appropriate staff employed by the authorized chartering entity. An authorized chartering entity may, but is not required to, conduct a public hearing to consider the request for charter revision. (4-1-04)T

04. Approval Of Proposed Charter Revision. If the authorized chartering entity approves the proposed charter revision, a copy of such revision shall be executed by each of the parties to the charter contract and shall be treated as either a

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supplement to, or amendment of, the final approved petition, whatever the case may be. The governing board of the public charter school shall be responsible for sending a copy of the charter revision to the Board, as required by Subsection 100.02. (4-1-04)T

05. Denial Of Proposed Charter Revision. If the proposed revision is denied, then the authorized chartering entity must prepare a written notice of its decision denying the request for charter revision. The decision to deny a request for a charter revision shall contain all of the reasons for the decision. The public charter school may appeal the decision denying the request for charter revision to the Board. The provisions of Section 403 shall govern the appeal. (4-1-04)T

303. REVOCATION.

An authorized chartering entity may revoke a charter if a public charter school has failed to cure a deficiency with respect to the operation of the public charter school, as described in Subsection 301.02, after receiving reasonable notice and a reasonable opportunity to cure the defect. (4-1-04)T

01. Written Notice Of Intention To Revoke Charter. The authorized chartering entity must provide the public charter school with reasonable notice of the authorized chartering entity's intent to revoke the charter, which shall be in writing and must include all of the reasons for such proposed action. In addition, such notice shall provide the public charter school with a reasonable opportunity to cure the defect and to reply in writing to the authorized chartering entity, which shall not be less than thirty (30) days. (4-1-04)T

02. Public Charter School Written Reply. The public charter school shall forward a written reply to the authorized chartering entity demonstrating that the deficiencies at issue have been addressed and resolved to the satisfaction of the authorized chartering entity. Such written reply must be received by the authorized chartering entity prior to the deadline established by the authorized chartering entity giving the public charter school a reasonable opportunity to cure the defect. (4-1-04)T

03. Public Hearing. The authorized chartering entity shall conduct a public hearing on its decision to revoke a charter within thirty (30) days after receipt of the public charter school's written reply. (4-1-04)T

a. Written notification of the hearing shall be sent to the public charter school at least ten (10) days in advance of the hearing. (4-1-04)T

b. The public hearing shall be conducted by the governing authorized chartering entity, or such other person or persons appointed by the authorized chartering entity to conduct public hearings and receive evidence as a contested case in accordance with Section 67-5242, Idaho Code. (4-1-04)T

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04. Agreement On Corrective Action. If both parties agree that the public charter school should be permitted the opportunity to take corrective action to remedy a deficiency in lieu of charter revocation, then the parties shall enter into a written agreement, executed by both parties, which describes in detail the terms and conditions of the corrective action plan. The authorized chartering entity shall send a copy of the executed agreement to the Board. (4-1-04)T

05. Charter Revocation. If the charter is revoked, the school may appeal the revocation decision to the Board. The provisions of Section 404 shall govern the appeal. (4-1-04)T

06. Immediate Charter Revocation. Notwithstanding Subsections 304.01 through 304.05, if the authorized chartering entity determines that the continued operation of the public charter school presents an imminent public safety issue, then the authorized chartering entity shall have the authority to revoke the charter, and close the public charter school, effective immediately. In such event, the public charter school may appeal the revocation decision to the Board, and the provisions of Section 404 shall govern the appeal. (4-1-04)T

304. - 399. (RESERVED).

400. APPEALS.

01. Subjects Of Appeal. The following actions relating to public charter schools may be appealed to the Department and/or to the Board, as applicable, in accordance with the procedures described in Sections 401 through 403: (4-1-04)T

a. The denial by an authorized chartering entity of a petition to form a new public charter school, as authorized by Section 33-5207, Idaho Code. (4-1-04)T

b. The granting by an authorized chartering entity of a petition to convert a traditional public school to a public charter school over the objection of thirty (30) or more persons or employees of the local school district, as authorized by Section 33-5207, Idaho Code. (4-1-04)T

c. The denial by the authorized chartering entity of a public charter school of a request to revise a charter, as authorized by Section 33-5209(4), Idaho Code. (4-1-04)T

d. A decision of an authorized chartering entity to revoke a charter, as authorized by Section 33-5209(4), Idaho Code. (4-1-04)T

401. APPEAL TO THE DEPARTMENT OF A DECISION RELATING TO THE FORMATION OF A NEW OR CONVERSION PUBLIC CHARTER SCHOOL.

The denial of a petition to form a new public charter school, or the granting of a petition to form a conversion public charter school over the objection of thirty (30) or more

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persons or employees of the local school district, may be appealed to the Department, as provided by Section 33-5207(2), Idaho Code. The following procedures shall govern such appeals. (4-1-04)T

01. Filing Of Appeal. To institute an appeal, the petitioners/appellants shall file a notice of appeal and request for public hearing in writing with the Department that describes, in detail, all of the grounds for the appeal, and the remedy requested, within thirty (30) days from the date of the decision being appealed. A copy of the notice of appeal shall be filed with the authorized chartering entity, and with the Board. In addition, contemporaneous with the filing of the notice of appeal, the petitioners/appellants shall also file with the Department two (2) copies of the complete record of all actions taken with respect to the consideration of the public charter school petition. The record must be in chronological order and must be appropriately tabbed and indexed. The record must contain, at a minimum, all of the following documents: (4-1-04)T

a. The name, address, and telephone number of the person or persons filing the appeal on behalf of petitioners/appellants, as well as the authorized chartering entity that issued the decision being appealed. (4-1-04)T

b. The complete petition that was filed with the authorized chartering entity, including any amendments thereto or supplements thereof. (4-1-04)T

c. Copies of the minutes from all meeting(s) where the petition was considered and/or discussed. (4-1-04)T

d. All correspondence between the petitioners/appellants and the authorized chartering entity relating to the petition from the date the original petition was filed until the date the authorized chartering entity issued the decision being appealed. (4-1-04)T

e. The written decision provided by the authorized chartering entity to the petitioner. A copy of such notice of appeal shall be submitted to the authorized chartering entity that issued the decision being appealed, and to the Board. (4-1-04)T

02. Hearing Officer. The Department shall hire a hearing officer to review the action of the authorized chartering entity and to conduct a public hearing, pursuant to Section 67-5242, Idaho Code. The Department shall forward to the hearing officer one (1) copy of the record provided by petitioners/appellants and attached to the notice of appeal. (4-1-04)T

03. Public Hearing. A public hearing to review the decision of the authorized chartering entity shall be conducted by the hearing officer within thirty (30) days after the date of the filing of the notice of appeal and request for a public hearing with the Department. (4-1-04)T

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04. Notice Of Hearing. All parties in an appeal shall be notified of a public hearing at least ten (10) days in advance, or within such time period as may be mandated by law. The notice shall identify the time, place, and nature of the hearing; a statement of the legal authority under which the hearing is to be held; the particular sections of the statutes and any rules involved; the issues involved; and the right to be represented. The notice shall identify how and when documents for the hearing will be provided to all parties. (4-1-04)T

05. Prehearing Conference. The hearing officer may, upon written or other sufficient notice to all interested parties, hold a prehearing conference to formulate or simplify the issues; obtain admissions or stipulations of fact and documents; identify whether there is any additional information that had not been presented to the authorized chartering entity; arrange for exchange of any proposed exhibits or prepared expert testimony; limit the number of witnesses; determine the procedure at the hearing; and to determine any other matters which may expedite the orderly conduct and disposition of the proceeding. (4-1-04)T

06. Hearing Record. The hearing shall be recorded unless a party requests a stenographic recording by a certified court reporter, in writing, at least seven (7) days prior to the date of the hearing. Any party requesting a stenographic recording by a certified court reporter shall be responsible for the costs of same. Any party may request that a transcript of the recorded hearing be prepared, at the expense of the party requesting such transcript, and prepayment or guarantee of payment may be required. Once a transcript is requested, any party may obtain a copy at the party's own expense. (4-1-04)T

07. Hearing Officer's Recommended Decision. The hearing officer shall issue a recommended decision within ten (10) days after the date of the hearing. The recommended decision shall include specific findings on all major facts at issue; a reasoned statement in support of the decision; all other findings and recommendations of the hearing officer; and a recommended decision affirming, reversing, or modifying the action or decision of the authorized chartering entity. The hearing officer shall mail or deliver a copy of the recommended decision to the Department, the petitioners/appellants, and the authorized chartering entity. (4-1-04)T

08. Review Of Recommended Decision By Authorized Chartering Entity.

a. The authorized chartering entity shall hold a public hearing to review the recommended decision of the hearing officer within thirty (30) days of receipt of the recommended decision. (4-1-04)T

b. Written notification of the scheduled public hearing shall be sent by the authorized chartering entity to the petitioners/appellants at least ten (10) days prior to the scheduled hearing date. (4-1-04)T

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c. The authorized chartering entity shall make a final decision within ten (10) days after the date the public hearing is conducted. (4-1-04)T

09. Reversal Of Initial Decision.

a. If the authorized chartering entity reverses its initial decision and denies the conversion of a traditional public school to a public charter school, then that decision is final and there shall be no further appeal. (4-1-04)T

b. If the authorized chartering entity reverses its initial decision and approves the new public charter school, then the charter shall be granted and there shall be no further appeal. (4-1-04)T

10. Affirmation Of Initial Decision.

a. If the authorized chartering entity affirms its initial decision to authorize the conversion of a traditional public school to a public charter school, then the charter shall be granted and there shall be no further appeal. (4-1-04)T

b. If the authorized chartering entity affirms its initial decision and denies the grant of a new public charter school, then the petitioners/appellants may appeal such final decision further to the Board in accordance with the procedure described in Section 402. (4-1-04)T

402. APPEAL TO THE BOARD RELATING TO THE DENIAL OF A REQUEST TO FORM A NEW PUBLIC CHARTER SCHOOL.

The following procedures shall govern an appeal to the Board of the final decision of an authorized chartering entity relating to the denial of a petition to form a new public charter school. (4-1-04)T

01. Filing Of Appeal. The petitioners/appellants shall file a notice of appeal in writing with the Board that describes, in detail, all of the grounds for the appeal, and the remedy requested, within twenty-one (21) days from the date the authorized chartering entity issues its final decision to deny a petition to form a new public charter school. A copy of the notice of appeal shall be filed with the authorized chartering entity. In addition, contemporaneous with the filing of the notice of appeal, the petitioners/appellants shall also file with the Board two (2) copies of a complete record of all actions taken with respect to the consideration of the public charter school petition. The record must be in chronological order, must be tabbed and indexed, and must contain, at a minimum, the following documents: (4-1-04)T

a. The complete record filed with the Department, as provided in Subsections .401.01.a through e. (4-1-04)T

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b. A transcript, prepared by a neutral person whose interests are not affiliated with a party to the appeal, of the recorded public hearing conducted by the hearing officer, as described in Subsection 401.06. (4-1-04)T

c. A copy of the hearing officer's recommended decision. (4-1-04)T

d. Copies of the minutes of the public hearing conducted by the authorized chartering entity to consider the recommended decision of the hearing officer, as described in Subsection 401.08.a through c. (4-1-04)T

e. Copies of any additional correspondence between the petitioners/appellants and the authorized chartering entity relating to the petition subsequent to the public hearing conducted by the Department. (4-1-04)T

f. The final written decision provided by the authorized chartering entity to the petitioners/appellants. (4-1-04)T

02. Public Hearing. A public hearing to review the final decision of the authorized chartering entity shall be conducted within a reasonable time from the date that the Board receives the notice of appeal, but not later than sixty (60) calendar days from such date. The public hearing shall be for the purpose of considering all of the materials in the record that were presented at prior proceedings. However, new evidence, testimony, documents, or materials that were not previously considered at prior hearings on the matter may be accepted or considered, in the sole reasonable discretion of the Board, or of the charter appeal committee, or public hearing officer, as described in Subsection 402.04. (4-1-04)T

03. Notice Of Hearing. All parties in an appeal shall be notified of a public hearing at least ten (10) days in advance, or within such time period as may be mandated by law. The notice shall identify the time and place of the hearing; a statement of the legal authority under which the hearing is to be held; the particular sections of the statutes and any rules involved; the issues involved; and the right to be represented. The notice shall identify how and when documents for the hearing will be provided to all parties. (4-1-04)T

04. Appointment Of Charter Appeal Committee Or Public Hearing Officer. The Board may, in its reasonable discretion, determine to appoint a charter appeal committee, composed solely of Board members, or a combination of Board members and Board staff, or alternatively, to appoint a public hearing officer, for the purpose of conducting the public hearing. If the Board determines not to make such an appointment, then the Board shall conduct the public hearing. (4-1-04)T

05. Recommended Findings. If the public hearing is conducted by a charter appeal committee or appointed public hearing officer, then such committee or appointed public hearing officer shall forward to the Board all materials relating to the hearing as soon as reasonably practicable after the date of the public hearing. If so requested by

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the Board, the entity conducting the public hearing may prepare recommended findings for the Board to consider. The recommended findings shall include specific findings on all major facts at issue; a reasoned statement in support of the decision; all other findings and recommendations of the charter appeal committee or public hearing officer; and a recommended decision affirming, reversing, or modifying the action or decision of the authorized chartering entity, or such other action recommended by the charter appeal committee or public hearing officer, such as remanding the matter back to the authorized chartering entity, or redirecting the petition to the Commission. A copy of the recommended findings shall be mailed or delivered to all the parties. (4-1-04)T

06. Final Decision And Order By The Board. The Board shall consider the materials forwarded by the entity conducting the public hearing, including any recommended findings of the charter appeal committee or appointed public hearing officer, as may be applicable, in a meeting open to the public at the next regularly scheduled meeting of the Board that occurs after the public hearing. If the public hearing was not conducted by the Board, then the Board may allow representatives for both the petitioner/appellant and the authorized chartering entity an opportunity to deliver oral arguments to the Board advocating their respective positions, limited to thirty (30) minutes for each party. Whether the public hearing is conducted by the Board or by a charter appeal committee, the Board shall issue a final written decision on such appeal within sixty (60) days from the date of the public hearing. The final decision and order of the Board shall be sent to both the petitioners/appellants and the authorized chartering entity, and will not be subject to reconsideration. With respect to such written decision, the Board may take any of the following actions: (4-1-04)T

a. Approve the charter, if the Board determines that the authorized chartering entity failed to appropriately consider the charter petition, or if it acted in an arbitrary manner in denying the request. In the event the Board approves the charter, the charter shall operate under the jurisdiction of the Commission, as provided by Section 33-5207(6), Idaho Code. (4-1-04)T

b. Remand the petition back to the authorized chartering entity for further consideration with directions or instructions relating to such further review. (4-1-04)T

c. Redirect the petition for consideration to the Commission. (4-1-04)T

d. Deny the appeal filed by the petitioners/appellants. (4-1-04)T

403. APPEAL RELATING TO THE DENIAL OF A REQUEST TO REVISE A CHARTER OR A CHARTER REVOCATION DECISION.

The following procedures shall govern an appeal relating to the denial of a request to revise a charter or a charter revocation decision. (4-1-04)T

01. Filing Of Appeal. The public charter school shall file a notice of appeal in writing with the Board that describes, in detail, all of the grounds for the appeal, and the remedy requested, within thirty (30) days from the date of the decision being appealed.

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A copy of the notice of appeal shall be filed with the authorized chartering entity. In addition, contemporaneous with the filing of the notice of appeal, the appellant charter school shall also file with the Board eleven (11), three (3)-holed punched, copies of the complete record of all actions taken with respect to the matter being appealed. The record must be in chronological order and must be appropriately tabbed and indexed. The record must contain, at a minimum, all of the following documents: (4-1-04)T

a. The name, address, and telephone number of the appellant public charter school and the authorized chartering entity that issued the decision being appealed. (4-1-04)T

b. Copies of all correspondence and/or other documents between the appellant public charter school and the authorized chartering entity relating to the matter being appealed. (4-1-04)T

c. Copies of the minutes from all meeting(s) where the matter on appeal was considered and/or discussed. (4-1-04)T

d. The written decision provided by the authorized chartering entity to the appellant public charter school. (4-1-04)T

02. Public Hearing. A public hearing to review the decision of the authorized chartering entity shall be conducted within thirty (30) days after the date of the filing of the notice of appeal. (4-1-04)T

03. Notice Of Hearing. All parties in an appeal shall be notified of a public hearing at least ten (10) days in advance, or within such time period as may be mandated by law. The notice shall identify the time and place of the hearing; a statement of the legal authority under which the hearing is to be held; the particular sections of the statutes and any rules involved; the issues involved; and the right to be represented. The notice shall identify how and when documents for the hearing will be provided to all parties. (4-1-04)T

04. Appointment Of Charter Appeal Committee Or Public Hearing Officer. The Board may, in its reasonable discretion, determine to appoint a charter appeal committee, composed solely of Board members, or a combination of Board members and Board staff, or alternatively, to appoint a public hearing officer, for the purpose of conducting the public hearing. If the Board determines not to make such an appointment, then the Board shall conduct the public hearing. (4-1-04)T

05. Prehearing Conference. The entity conducting the public hearing may, upon written or other sufficient notice to all interested parties, hold a prehearing conference to formulate or simplify the issues; obtain admissions or stipulations of fact and documents; identify whether there is any additional information that had not been presented to the authorized chartering entity; arrange for exchange of any proposed exhibits or prepared expert testimony; limit the number of witnesses; determine the

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procedure at the hearing; and to determine any other matters which may expedite the orderly conduct and disposition of the proceeding. (4-1-04)T

06. Hearing Record. The hearing shall be recorded unless a party requests a stenographic recording by a certified court reporter, in writing, at least seven (7) days prior to the date of the hearing. Any party requesting a stenographic recording by a certified court reporter shall be responsible for the costs of same. The record shall be transcribed at the expense of the party requesting a transcript, and prepayment or guarantee of payment may be required. Once a transcript is requested, any party may obtain a copy at the party's own expense. (4-1-04)T

07. Recommended Findings. If the public hearing is conducted by a charter appeal committee or appointed public hearing officer, then such committee or public hearing officer shall forward to the Board all materials relating to the hearing as soon as reasonably practicable after the date of the public hearing. If so requested by the Board, the entity conducting the public hearing may prepare recommended findings for the Board to consider. The recommended findings shall include specific findings on all major facts at issue; a reasoned statement in support of the decision; all other findings and recommendations of the charter appeal committee or public hearing officer; and a recommended decision affirming, reversing, or modifying the action or decision of the authorized chartering entity. A copy of the recommended findings shall be mailed or delivered to all the parties. (4-1-04)T

08. Final Decision And Order By The Board. The Board shall consider the materials forwarded by the entity conducting the public hearing, including any recommended findings of the charter appeal committee or appointed public hearing officer, as may be applicable, in a meeting open to the public at the next regularly scheduled meeting of the Board that occurs after the public hearing. If the public hearing was not conducted by the Board, then the Board may allow representatives for both the appellant public charter school and the authorized chartering entity an opportunity to deliver oral arguments to the Board advocating their respective positions, limited to thirty (30) minutes for each party. Whether the public hearing is conducted by the Board, or by a charter appeal committee or appointed public hearing officer, the Board shall issue a final written decision on such appeal within sixty (60) days from the date of the public hearing. The decision shall be sent to both the appellant public charter school and the authorized chartering entity. The Board may affirm, modify, or reverse the recommended findings of the charter appeal committee or appointed public hearing officer, as may be applicable, remand the matter to the charter appeal committee or appointed public hearing officer for further proceedings, or the Board may determine to hold additional hearings. (4-1-04)T

404. EX PARTE COMMUNICATIONS.

Unless required for the disposition of a matter specifically authorized by statute to be done ex parte, no party to the appeal nor any representative of any such party to the appeal, nor any person or entity interested in such appeal, may communicate, directly or indirectly, regarding any substantive issue in the appeal with the Board or the charter

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appeal committee or any hearing officer appointed to hear or preside over the appeal hearing, except upon notice and opportunity for all parties to participate in the communication. (4-1-04)T

405. – 499. (RESERVED).

500. MISCELLANEOUS.

01. Definition. As used in Section 500, the term “local education agency” or “LEA” shall mean a public authority legally constituted within the state for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in the state, as such term is defined in the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, and as such term is further defined in 34 CFR 300.18. (4-1-04)T

02. LEA Designations. Section 33-5203(7), Idaho Code, provides that the Board shall be responsible to designate those public charter schools that will be identified as an LEA; however, only public charter schools chartered by the board of trustees of a school district may be included in that district's LEA. A public charter school may request to be designated as an LEA. Such request shall be in writing and state the reasons why the public charter school is requesting LEA status, and must be submitted to the executive director of the Board. The executive director of the Board shall have the responsibility of designating those public charter schools that will be identified as an LEA, in accordance with the following criteria. A public charter school that is chartered by the board of trustees of a school district shall be included in that district's LEA, and the executive director of the Board shall not be permitted to designate such a school as an LEA, except that the executive director of the Board may designate a public virtual school that is chartered by the board of trustees of a school district as an LEA. The Executive Director may designate a public charter school that is chartered by the Commission. If the executive director determines, in his or her reasonable discretion, that a public charter school has demonstrated a compelling reason to be designated an LEA, but such public charter school is not eligible under the criteria contained herein, then the executive director may refer such request to the Board for consideration. (4-1-04)T

501. – 599. (RESERVED).

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PLANNING, POLICY, AND GOVERNMENTAL AFFAIRS
AUGUST 12-13, 2004

SUBJECT

Appeal filed by Renaissance Charter School with the State Board on the Revocation of its charter by the Moscow School District.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-5209 and 33-5207(5)(b), Idaho Code.

BACKGROUND

The Moscow School District approved the charter of Renaissance Charter School in 1998, and the charter was revised in 2000. In a February 20, 2004 letter, Moscow School District Superintendent Candis Donicht advised the governing board of Renaissance Charter School that the Moscow School District intended to terminate its charter at the end of the 2003 – 2004 school year. The reasons for this proposed action were contained in an attached memorandum that same date. The Moscow School District considered the charter revocation in a regular board meeting held on April 27, 2004. A final revocation decision was tabled, and considered again at a special board meeting held on May 11, 2004. At the conclusion of that special meeting the Moscow School District determined to terminate the charter. In a May 18, 2004 letter, Superintendent Donicht advised the governing board of the Renaissance Charter School of the Moscow School District's final decision to terminate the charter.

On May 20, 2004, Renaissance Charter School filed a notice of appeal with the State Board. A public hearing with respect to such appeal was conducted on July 14, 2004, and each party was given an opportunity to provide documentary evidence and verbal testimony for the State Board's consideration.

DISCUSSION

Section 33-5209, Idaho Code, as amended by S.B. 1444 (effective April 1, 2004), describes the process for the revocation of a public school charter. A public school charter may be revoked if the public charter school has done any of the following: (i) committed a material violation of any condition, standard, or procedure set forth in the approved charter; (ii) failed to substantially meet any of the student educational standards identified in the approved charter; (iii) failed to meet generally accepted accounting standards of fiscal management; (iv) failed to submit required reports to the authorized chartering entity governing the charter; or (v) violated any provision of law.

A public charter may be revoked by the authorized chartering entity if the public charter school fails to cure a defect, described above, after receiving reasonable notice and having had a reasonable opportunity to cure the defect. Revocation may not occur until the public charter school has been afforded a public hearing and a reasonable opportunity to cure the defect.

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A decision to revoke a charter may be appealed directly to the State Board. With respect to such appeal, Idaho law provides that the State Board shall follow the procedure as provided in Section 33-5207(5)(b), Idaho Code. With respect to such appeal, the State Board is required to hold a public hearing, and after the public hearing, shall take any of the following actions: (i) reverse the decision of the Moscow School District if the State Board determines that the Moscow School District failed to appropriately consider, or acted in an arbitrary manner, in determining to revoke the charter; (ii) remand the matter back to the Moscow School District for further review as directed by the State Board; or (iii) redirect the matter to another authorized chartering entity, such as the Public Charter School Commission, for further review as directed by the State Board.

BOARD ACTION

The State Board will need to prepare an appropriate motion based on action it intends to take after deliberations.

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TITLE 33
EDUCATION
CHAPTER 52
PUBLIC CHARTER SCHOOLS

33-5209. ENFORCEMENT -- REVOCATION -- APPEAL.

(1) An authorized chartering entity shall ensure that all public charter schools for which it authorized charters, or for which it has responsibility, operate in accordance with the charter granted. A public charter school or the authorized chartering entity may enter into negotiations to revise its charter at any time. A public charter school may petition to revise its charter at any time. The authorized chartering entity's review of the revised petition shall be limited in scope solely to the proposed revisions.

(2) If the authorized chartering entity has reason to believe that the public charter school has done any of the following, it shall provide the public charter school written notice of the defect and provide a reasonable opportunity to cure the defect: (a) Committed a material violation of any condition, standard or procedure set forth in the approved charter; (b) Failed to substantially meet any of the student educational standards identified in the approved charter; (c) Failed to meet generally accepted accounting standards of fiscal management; (d) Failed to submit required reports to the authorized chartering entity governing the charter; or (e) Violated any provision of law.

(3) A charter may be revoked by the authorized chartering entity if the public charter school has failed to cure a defect after receiving reasonable notice and having had a reasonable opportunity to cure the defect. Revocation may not occur until the public charter school has been afforded a public hearing and a reasonable opportunity to cure the defect, unless the authorized chartering entity reasonably determines that the continued operation of the public charter school presents an imminent public safety issue, in which case the charter may be revoked immediately. Public hearings shall be conducted by the governing authorized chartering entity, or such other person or persons appointed by the authorized chartering entity to conduct public hearings and receive evidence as a contested case in accordance with section 67-5242, Idaho Code. Reasonable notice and opportunity to reply shall include, at a minimum, written notice setting out the basis for consideration of revocation, a period of not less than thirty (30) days within which the public charter school can reply in writing, and a public hearing within thirty (30) days of the receipt of the written reply.

(4) A decision to revoke or not to approve a revision of a charter may be appealed directly to the state board of education. With respect to such appeal, the state board of education shall follow the procedure as provided in section 33-5207(5)(b), Idaho Code. In the event the state board of education reverses a decision of revocation, the public charter school subject to such action shall then be placed under the chartering authority of the commission.

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TITLE 33
EDUCATION
CHAPTER 52
PUBLIC CHARTER SCHOOLS

33-5207. CHARTER APPEAL PROCEDURE.

(1) If a local school board of trustees, acting in its capacity as an authorized chartering entity, grants a charter for the conversion of an existing traditional public school within the school district over the objection of thirty (30) or more persons or employees of the district, or if an authorized chartering entity denies a petition for the establishment of a new public charter school for any reason including, but not limited to, failure by the petitioner to follow procedures or for failure to provide required information, then such decisions may be appealed to the state superintendent of public instruction, at the request of persons opposing the conversion of an existing traditional public school, or at the request of the petitioner whose request for a new charter was denied.

(2) The state superintendent of public instruction shall select a hearing officer to review the action of the authorized chartering entity, pursuant to section 67-5242, Idaho Code. The hearing officer shall, within thirty (30) days of the request, review the charter petition and convene a public hearing regarding the charter petition. Within ten (10) days of the public hearing, the hearing officer shall submit a written recommendation to the authorized chartering entity and to the persons requesting the review. The recommendation by the hearing officer either to affirm or reverse the decision of the authorized chartering entity shall be based upon the standards and criteria contained in this chapter and upon any public charter school rules adopted by the state board of education. The recommendation shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the recommendations based on the applicable statutory provisions and factual information contained in the record.

(3) Within thirty (30) days following receipt of the hearing officer's written recommendation, the authorized chartering entity shall hold a public hearing. Within ten (10) days of this hearing, the authorized chartering entity shall either affirm or reverse its initial decision. The authorized chartering entity's decision shall be in writing and contain findings, which explain the reasons for its decision.

(4) If, upon reconsideration of a decision to approve the conversion of a traditional public school to a public charter school, the local school board: (a) Affirms its initial decision to authorize such conversion, the charter shall be granted and there shall be no further appeal. (b) Reverses its initial decision and denies the conversion that decision is final and there shall be no further appeal.

(5) If, upon reconsideration of a decision to deny establishment of a new public charter school, the authorized chartering entity: (a) Reverses its initial decision and approves the new public charter school, the charter shall be granted and there shall be no further

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appeal. (b) Affirms its initial decision denying the new public charter school, the petitioners for the establishment of the new public charter school may appeal to the state board of education. The state board of education shall hold a public hearing within a reasonable time after receiving notice of such appeal but no later than sixty (60) calendar days after receiving such notice, and after the public hearing, shall take any of the following actions: (i) approve the charter for the establishment of a new public charter school if it determines that the authorized chartering entity failed to appropriately consider the charter petition, or if it acted in an arbitrary manner in denying the request; (ii) remand the matter back to the authorized chartering entity for further review as directed by the state board of education; or (iii) redirect the matter to another authorized chartering entity for further review as directed by the state board of education. Such public hearing shall be conducted pursuant to procedures as set by the state board of education.

(6) A public charter school for which a charter is granted by the state board of education shall qualify fully as a public charter school for all funding and other purposes of this chapter. The public charter school commission shall assume the role of the authorized chartering entity for any charter authorized by the state board of education as provided in subsection (5)(b) of this section. Employees of a public charter school authorized by the state board of education shall not be considered employees of the local school district in which the public charter school is located, nor of the state board of education, nor of the commission.

(7) The decision of the state board of education shall be subject to review pursuant to chapter 52, title 67, Idaho Code. Nothing in this section shall prevent a petitioner from bringing a new petition at a later time.

(8) There shall be no appeal of a decision by a local school board of trustees which denies the conversion of an existing traditional public school within that district to a public charter school, or which grants a petition for the establishment of a new public charter school.

PLANNING, POLICY, AND GOVERNMENTAL AFFAIRS
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APPEAL TO THE STATE BOARD OF EDUCATION

IN THE MATTER OF:)	
)	
RENAISSANCE PUBLIC CHARTER)	HEARING OFFICER'S REPORT
SCHOOL)	
)	
)	
)	

On behalf of the State Board of Education ("SBOE"), a public hearing on the above-captioned appeal was held on Wednesday, July 14, 2004, in the Whitewater Room in the Idaho Commons on the University of Idaho campus, Moscow, Idaho. The purpose of the public hearing was for the purpose of gathering evidence and materials pertinent to the appeal.

The following is a summary of the verbal testimony and documentary evidence presented at that public hearing. A Public Record Binder containing the documents filed with the SBOE and the documentary evidence presented at the public hearing is attached hereto. The public hearing was recorded but has not been transcribed.

BACKGROUND

A. Counsel for each of the Parties.

Renaissance Public Charter School ("RCS") is represented by William L. Herrington, of the Law Firm William L. Herrington, P.A.

Moscow School District #281 ("MSD") is represented by Brian K. Julian, Anderson, Julian & Hull, L.L.P.

B. Operative Charter Instrument.

RCS's charter was approved by the MSD in 1998; the charter was revised in 2000. The current operative charter is included as Exhibit "E" in the Public Record Binder.

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C. Timeline.

In a letter dated February 20, 2004 (Exhibit "A" in the Public Record Binder), MSD Superintendent Candis Donicht advised RCS's governing board that MSD intended to take action to terminate RCS's charter effective at the end of the 2003-2004 school year. MSD Policy 6326 describes the termination process, and provides that the MSD board will provide thirty (30) days' written prior notice and an opportunity for the charter school's board of directors to be heard before the MSD board can terminate a charter. In that same letter, MSD advised RCS that it may negotiate and submit a revised charter, consistent with the components of MSD Policies 6312 and 6316, within 60 days. MSD Policy 6326 also provides that the charter school may negotiate and submit a revised charter. Accordingly, charter revisions were proposed by RCS and were being negotiated with Superintendent Donicht, on behalf of the school district, simultaneous with the revocation proceedings.

MSD considered the charter revocation in a regular board meeting held on April 27, 2004. A final revocation decision was tabled, and considered again at a special board meeting held on May 11, 2004. At the conclusion of that special meeting, MSD determined to terminate the charter. In a May 18, 2004, letter (Exhibit "B" in the Public Record Binder), Superintendent Donicht advised the governing board of RCS of MSD's final decision to terminate the charter. (Although the minutes of these MSD board meetings sometimes refer to the proceedings as an appeal, it appears MSD was considering final action on its intention to revoke RCS's charter.)

On May 20, 2004, RCS filed a notice of appeal with the SBOE. A public hearing with respect to such appeal was conducted on July 14, 2004, and each party was given an opportunity to provide documentary evidence and verbal testimony for SBOE's consideration.

D. Reasons Cited for Revocation/Termination.

The reasons cited by MSD for this proposed action were set forth in a memorandum attached to the February 20, 2004, letter, and provided as follows:

1. *Failure to meet generally accepted accounting standards of fiscal management for 2002-2003 and for a portion of this year....*
2. *Commission of material violation, conditions, and procedures set forth in the charter, including:*
 - a. *Failure to have a certificated Director on site for a portion of this year.*
 - b. *Failure to seat a seven-member board for a portion of this year.*
 - c. *Failure to secure liability insurance with MSD named as an additional insured.*

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3. *Failure to substantially meet one or more of the student educational standards identified in the charter, including:*
 - a. *Purpose and Vision: Due to reduced financial resources, opportunities have been significantly reduced. Art and music instruction have been reduced. There are no individualized learning plans based on Idaho academic standards and benchmarks. There is no Suzuki music program.*
 - b. *Goals: There are no apprenticeships or work site-based projects. The Idaho Achievement Standards are not used as basic curriculum in all cases. As there is no full time technology teacher this year, exposure to current educational technology has been reduced.... Two community (parent) surveys per year are required and it would appear that there would only be one this year.*
 - c. *Curriculum Delivery: Extensive field trips are required, but due to financial problems, there has been no money for busing.*
 - d. *Instruction: There are currently no internships or apprenticeships in the community.*
 - e. *Assessment: The expectation that each student, unless learning disabled, will meet or exceed grade level standards for the student's age-related peers who attend traditional schools within the School District is not being met.*

The May 18, 2004, termination letter provided further specificity on the reasons for termination/revocation, as follows:

1. *RCS currently has a certified volunteer, but has not hired a director with the finance and/or business background called for in the charter, which specifically indicated "planning and budgeting" as part of the director's responsibilities.*
2. *RCS student performance neither meets or exceeds the academic achievements of MSD students and in many cases lags significantly behind.*
3. *Expanded educational programming and choice is not offered, as stated in the charter. Curriculum seems to be more and more pared down, and full specialists services promised in the charter are not currently available.*
4. *While the RCS directors continue to assure MSD that they have a seven-member board, several members have fallen out of attendance regularly and no steps have been taken to remedy the problem.*
5. *Financial reports often include varying budget and income projections, often reflecting positive and negative fund balances that vary over the course of a month by thousands of dollars. Spring and summer budget*

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projections rely heavily on community-based fund raising. The current bookkeeper has demonstrated competence in bookkeeping, but financial statements continue to reflect the lack of oversight in school finance on the part of the director. The one employee familiar with the books is unable to benefit from the oversight of a director with sufficient business and finance experience as called for in the charter. Using fund raising to balance the budget was questioned, as was reducing teacher/staff salaries.

6. *It was acknowledge (sic) that the school curriculum for secondary English, Social Studies, and Speech have not been aligned with state standards.*
7. *Following the letter of the law, not the spirit of the law, is a position upheld by MSD as an operational standard.*
8. *MSD is not charged with the responsibility of oversight in RCS functions, and the school has proved unable to operate without significant MSD administrative help, particularly in the areas of compliance, curriculum and finance.*

ARGUMENTS ADVANCED BY COUNSEL AT THE PUBLIC HEARING

The following is a brief summary of the opening arguments made by counsel for the respective parties at the public hearing.

- A. Counsel for RCS.
 - *Argued that it is important to offer additional and individualized options for children who have special educational needs that traditional public schools have difficulty meeting. For those children, RCS is meeting those needs.*
 - *MSD has a terrific and dedicated staff, but the revocation decision was a mistake.*
 - *MSD had very little tolerance, and insisted that RCS must operate “our way or no way.”*
 - *MSD failed to follow a mediation provision in the charter; this termination/revocation process may have been foregone if MSD had complied with this provision.*
 - *RCS “tried to move mountains” in order to comply with all of the terms of the charter, and was surprised by MSD’s decision to revoke.*

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- *Conceded that RCS was not without fault, and ended school year with about a \$1,000 deficit.*
- B. Counsel for MSD.
 - *Believes RCS must show it is a viable entity.*
 - *The only remedy under charter is to place RCS under authority of the Public Charter School Commission. Acknowledged that SBOE has ability to remand, but only for another hearing, not operation of the school. MSD does not want to spend the time and energy of running the charter as presently constructed -- such an option would be fruitless.*
 - *In order to reverse, SBOE must make a finding that MSD acted arbitrarily – that is, acted with a complete lacking in factual basis.*
 - *A number of very specific issues supported MSD's decision to revoke the charter: failure to use generally accepted accounting principles; failure to hire a certified director; failure to seat a 7 member board; failure to provide liability insurance.*
 - *In addition, RCS did not meet the terms of its charter: art and music were seriously reduced; the original charter provides for high standard academics (not a school for low standard students); no apprenticeship programs were offered; curriculum materials did not meet Idaho achievement standards; school did not meet standards of MSD.*
 - *MSD revised the operative charter on 12/19/2000 by removing the mediation provision; but that does not matter, as Idaho statutory law (and not the charter) controls the procedure for revocation.*
 - *Believes focus of SBOE should be: can the school succeed? Was the school district arbitrary in revoking the charter?*

SUMMARY OF TESTIMONY

The following is a brief summary of testimony provided at the public hearing.

A. Renaissance Public Charter School

Isabel Bond, Board Member, Renaissance Public Charter School.

- *The ISAT test scores for Fall 2003 are not a true reflection of the educational progress of the students at RCS because such scores reflect only six weeks of educational experience at RCS.*

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- *Long term students at RCS tested above the basic proficiency in reading; at a higher percentage than students in the school district.*
- *It is her opinion that every charter school in the state is “out of compliance” with the terms of its charter at some point in time.*

Diana Smith, Vice President & Board Member, Renaissance Public Charter School.

- *She joined the RCS board in July 2003; became concerned about financial documents that were being presented to board members, and financial practices that were in place, and brought these issues/concerns to the attention of Superintendent Donicht.*
- *A budget/finance committee was appointed; the committee determined that RCS needed to hire a qualified bookkeeper; the board hired Heather Nelson based on her accounting background.*
- *The board members largely responsible for allowing the financial problems to proliferate resigned.*
- *The 2002-2003 audit was completed in October 2003, and all of the financial deficiencies were remedied in approximately 30 days. The RCS board has not yet adopted a change suggested by the school auditor to incorporate a capital amount policy.*
- *Since November 2003 all accounting functions are being performed in accordance with generally accepted accounting practices.*
- *It is her opinion that apprenticeships, or work-site based projects, are not mandated by the charter, but rather are listed as goals and are a vision issue.*
- *It is her opinion that the charter does not require a full time technology teacher; nonetheless, RCS has been updating its technology programs, and has received volunteer assistance in technology instruction from a faculty member at the University of Idaho.*
- *There were more than two community surveys administered during the 2003 - 2004 school year; the school went through a fact-finding process beginning in September 2003 and held a total of six meetings to receive input from stakeholders.*
- *It is her opinion that RCS has held extensive field trips in that there were at least 15 field trips at various grade levels taken during the 2003 – 2004*

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school year; believes that the word "extensive" is subjective and difficult to quantify.

- *RCS was not aware that buses for field trips were reimbursable at an 80% rate from the State Department of Education until the interim director took over.*
- *The ELOB method of instruction does not necessarily involve extensive field trips. A focal method of the ELOB model is Learning Expeditions, but that does not necessarily mean field trips.*

David Nystrom, President & Board Member, Renaissance Public Charter School.

- *Dealing with changes in personnel is a based function of any board.*
- *The RCS board initiated an action in January 2004 that resulted in the resignation of the school's director (administrator) in March 2004. This action was taken to alleviate possible impact on daily school functioning with student/staff relations. The director was not on-site, but was on-payroll during this period and available to return if necessary during the time period when interim director Stan Smith was being put into place.*
- *Stan Smith began the process of certification, which resulted in his being issued a Consultant Certificate. The certification was complete by February 19, 2004. This certification was received before the official resignation date of the former director.*
- *It is his opinion that the board has a right and responsibility to make important policy and personnel issues, and that the school should not be penalized for such decisions. The personnel changes were planned, timed, and implemented in a responsible manner.*
- *It is his opinion that Stan Smith's certification letter is adequate for the state's requirements.*
- *The board, and staff of RCS worked closely with MSD on financial planning and budgeting issues.*
- *During July and August 2003 there were seven directors; one resigned leaving a total of six. Two more board members resigned and their resignations were accepted on November 12, 2003. Because these resignations occurred during the holidays an extraordinary amount of time passed. The board does not have control over such resignations.*

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- *It was his understanding that the proposed charter school legislation would require charter school elections for board members, and thus RCS held an election for 3 director positions on February 4, 2004.*

Heather Nelson, Bookkeeper, Renaissance Public Charter School.

- *Acknowledged that the last fiscal year involved difficult financial circumstances, but believes such circumstances were the result of the actions of predecessor school administrators (the previous bookkeeper and director).*
- *Understands the need for RCS administrators to have a strong background in school finance, and believes that if the school is permitted to continue, this is a criteria the board will use to hire a permanent director.*
- *Believes budget variances fall into one of two categories. First, corrections to poor accounting on the part of the prior business manager. Second, relating to the recordation of revenue. She takes some responsibility for blame in not fully understanding the state's funding formula. In particular, she believes she was hindered in making accurate projections in part by the incorrect calculations of her predecessor, in part by not having the worksheet from the state that made the calculations more understandable, and by not having a critical piece of information for the calculations. Stated that the variances amounted to less than 2% of projected revenue totals for the year.*
- *Believes that using teacher/staff salary reductions to balance the budget was a last resort option, but was appropriate. Stated that the projected budget for the next fiscal year includes all teachers back at full salary, which is a viable option when not starting from a \$36,000 deficit.*
- *Projected enrollment for the 2004 – 2005 school year, based on parent surveys conducted at the end of the school year, was 52 students.*

Stan Smith, Volunteer Interim Director & teacher at Renaissance Public Charter School.

- *Believes current operative charter sets forth ideals, which has no place when dealing with hard realities. For example, individualized learning plans are not practical. The Suzuki music program described in the charter was discontinued because parents did not want it.*
- *With regard to the deficiencies outlined by MSD that supported the revocation of the charter, he acknowledged that art and music were cut back but continued to be offered. Also, stated that the school district*

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agreed that individualized learning plans were impractical, and in place of them the school offered goal setting conferences, portfolio assessment, use of Result Based Model, student plans in place for graduation, nightly emails to help students needing additional structure.

- *In addition, he stated that a volunteer from the University of Idaho provided technology instruction. With regard to surveys, two northwest regional lab surveys were conducted; there were survey results of group meetings starting in November, and a teacher evaluation survey.*
- *The school offered expanded educational programming in applied physics in cooperation with the University of Idaho College of Education; a Bird Netting Project, and Service Summit.*
- *Acknowledged that his individual curriculum materials were not aligned to state standards because, as interim director, he did not have time to complete the forms.*
- *He apologized for signing a parent's name on a parent survey, which was conducted to determine who would be attending RCS for the 2004 – 2005 school year. He signed after her assurance that her son would be at the school, and that he need not call her at home. He does not believe that this action should cast suspicion on the survey.*
- *Stated that the baseline number of students for the school to operate is about 50 students.*

John Ophus, faculty member at University of Idaho.

- *Outlined instances in which the University of Idaho provided volunteer technology services to RCS. RCS students could conduct laboratory experiments at the U of I.*

Linda Sterk, teacher at Renaissance Public Charter School.

- *Described the ELOB method of instruction (Expedition Learning Outward Bound – ELOB is a comprehensive school reform and school development model based on the five core practices – learning expeditions, active pedagogy, school culture and character, leadership and school improvement, and structures).*

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B. Moscow School District #281

Dr. Candis Donicht, Superintendent, Moscow School District.

- *The issues with RCS have been long-standing -- a 13-month process dating back to June 2003, and were initiated after the receipt of parent complaints. In addition, at around that same time MSD learned that RCS had an approximately \$15,000 deficit. After an audit was conducted in October 2003, it was learned that the deficit was actually approximately \$36,000. In her opinion this demonstrated that the school was in the throes of severe financial problems. She chose not to terminate the charter on the spot but to try to work with RCS, though she was concerned the school might run out of money.*
- *She recommended charter revisions, but claims that RCS chose not to revise the charter.*
- *Acknowledges that RCS has experienced a change in leadership, with the director and bookkeeper resigning, and the board experiencing almost 100% turnover. The MSD mid-year compliance report resulted in her issuing the February 20, 2004 letter.*
- *The most important issues that led to revocation were the financial problems; the fact that the Idaho achievement standards were not used by RCS; and that there was not a director on staff with budgeting and financial background. In addition, the director did not have the required certificate with administrator's endorsement, as required by the charter; Stan Smith was issued a Consultant Certificate by the state.*
- *The ISAT data provided by Isabelle Bond disaggregates older and newer students and is not an appropriate comparison. MSD does not keep data in such formats, and so the comparison has no meaning. Under the ISAT, schools are held accountable for proficiency levels.*
- *The ISAT scores gave rise to a good level of parental complaint.*
- *She believes that the RCS board was allowing proxy voting at board meetings. She did not believe this was appropriate, or good business practice.*
- *The previous administration of RCS has represented that the curriculum had been aligned to state standards, when this had not been the case.*
- *RCS was becoming much too reliant on MSD administrators in running the school.*

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- *The forging of the parent's name on the survey by interim director Stan Smith eroded trust.*
- *With regard to tests scores and the expectations of students, MSD considered the statement in the charter that the school will provide high standard academics as a "deliverable" which was not provided.*
- *She believes remand to the school district would not be fruitful, and a waste of time, because to her knowledge none of the issues raised by MSD has changed.*
- *The items raised in the May 18, 2004 letter are not new reasons for denial of the charter, but further elaboration of the issues already raised in the February 20, 2004 letter.*

Sue Driskill, Business Manager, Moscow School District.

- *Audited financial records for the year ending June 30, 2003 showed that RCS ended the fiscal year with a deficit fund balance of \$36,314.*
- *During the 2003 – 2004 fiscal year, RCS's enrollment dropped to half the level it was the previous year, resulting in a 33% reduction in funding. Despite efforts to reduce expenditures, it looks like RCS will end the 2003 – 2004 fiscal year with a deficit fund balance.*
- *Oversight of the financial status of the school has been lacking the past two years. Although well intentioned, the bookkeepers have no background or expertise in school finance and were given significant responsibilities without direction from qualified administrators.*
- *A review of the RCS 2002 – 2003 audit shows that 48% of their budget was designated for instructional expenditures and 52% for support services. This compares to 72% for instructional expenditures and 28% for support services at the Moscow Charter School. Only \$5,500, or 4.5% of its budget, was spent on instructional supplies.*
- *Based on a review of the monthly financial reports submitted by RCS, it appears the school will have a deficit fund balance on June 30, 2004.*

Keely Emerine Mix, Trustee, Moscow School District.

- *She voted to revoke the charter, based on the 8 reasons for denial set out in the May 18, 2004 letter.*
- *She believed that RCS's plea to permit them to abide by the "spirit of the law, and not the letter of the law" was not acceptable.*

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- *A remand to the MSD board would be fruitless.*

C. Public Testimony

Jackie Woolf, P.O. Box 8361, Moscow, ID (883-4321).

- *She is the parent of an RCS student, and provided extensive and harsh criticism of RCS, its teachers, and school administrators.*

Steve Leib, 966 Shoshone, Moscow, ID (882-7684).

- *He is the parent of an RCS student who had not performed well in a traditional public school. Felt that RCS did a good job of providing educational services to his child.*

Carolyn Leib, 966 Shoshone, Moscow, ID (882-3688).

- *She is the parent of an RCS student who had not performed well in a traditional public school. Felt that RCS did a good job of providing educational services to his child.*

Stan Smith, Moscow ID.

- *He was the volunteer interim director of RCS and provided additional testimony urging that the school be permitted to continue to operate for the 2004 – 2005 school year.*

DOCUMENTARY EVIDENCE

The following is a description of the documentary evidence provided by each party at the public hearing. A copy of each exhibit is included in each Board member's Public Record Binder.

A. Renaissance Public Charter School

Exhibit 1. Statement – Isabel Bond.

Exhibit 2. Statement – Diana Smith.

Exhibit 3. Statement – David Nystrom.

Exhibit 4. Letter dated February 10, 2004 from State Department regarding Consultant Specialist Certification of Stan Smith.

Exhibit 5. Statement – Heather Nelson.

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- Exhibit 6. Proposed Revised Charter.
- Exhibit 7. Statement – Stan Smith.
- Exhibit 8. Letter dated March 25, 2004 to Stan Smith from Michael Odell.
- Exhibit 9. ELOB Manual.
- Exhibit 10. Certificate of Insurance
- Exhibit 11. January 31, 2002 email on subject of meetings of MEA board meeting.
(Supplemental Submission.)

B. Moscow School District #281

- Exhibit A. Letter dated February 20, 2004 from Candis Donicht to Board of Directors, Renaissance Public Charter School.
- Exhibit B. Letter dated May 21, 2004 (May 18, 2004) from Candis Donicht to Board of Directors, Renaissance Public Charter School.
- Exhibit C. Minutes of April 27, 2004 Moscow School District Regular Board Meeting.
- Exhibit D. Minutes of May 11, 2004 Moscow School District Special Board Meeting.
- Exhibit E. Charter, Renaissance Public Charter School (Revised 2000)
- Exhibit F. Excerpts of Minutes of December 19, 2000 Moscow School District Regular Board Meeting.
- Exhibit G. Collection of letters and emails to Candis Donicht setting forth complaints and/or concerns relating to Renaissance Public Charter School.
- Exhibit H. Moscow School District records submitted to William L. Herrington in connection with a July 11, 2004 public records request.
- Exhibit I. Summary of Testimony – Sue Driskill; Audited financial statements, Renaissance Public Charter School.
- Exhibit A. Spring 2004 ISAT Data: MSD and RCS

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(Supplemental Submission.)

LEGAL BRIEFING/MEMORANDA

Each party has prepared the following legal filings and memoranda setting forth respective issues and arguments:

- A. Renaissance Charter School.
 - Notice of appeal dated May 20, 2004.
 - Memorandum in Support of an Appeal from the Decision of the Moscow School District #281 to Terminate the Charter of the Renaissance Public Charter School, dated June 7, 2004.
 - Supplemental Memorandum in Support of Renaissance Public Charter School Arguments Posted at July 14, 2004 Public Hearing, dated July 26, 2004.
- B. Moscow School District.
 - Moscow School District No. 281's Response to Renaissance Public Charter School's Memorandum in Support of Appeal, dated June 14, 2004.
 - Moscow School District no. 281's Closing Statement and Final Presentation of Evidence, dated July 22, 2004.

This Public Hearing Officer's Report is respectfully submitted this ____ day of _____, 2004.

Kent E. Nelson
Deputy Attorney General

Jeffrey L. Schrader
Deputy Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of _____, 2004, I caused to be served a true and correct copy of the foregoing PUBLIC HEARING OFFICER'S REPORT by the method indicated below, and addressed to the following:

William L. Herrington, PA
Tracy Greene
Attorney at Law
410 S. Jefferson
Moscow, ID 83843

<input checked="" type="checkbox"/>	U.S. Mail
<input type="checkbox"/>	Hand Delivery
<input type="checkbox"/>	Certified Mail, Return Receipt
Requested	
<input type="checkbox"/>	Overnight Mail
<input type="checkbox"/>	Statehouse Mail

Brian K. Julian
Amy G. White
Mark D. Sebastian
Anderson, Julian & Hull LLP
PO Box 7426
Boise, ID 83707-7426

<input checked="" type="checkbox"/>	U.S. Mail
<input type="checkbox"/>	Hand Delivery
<input type="checkbox"/>	Certified Mail, Return Receipt
Requested	
<input type="checkbox"/>	Overnight Mail
<input type="checkbox"/>	Statehouse Mail

Kent E. Nelson
Deputy Attorney General

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SUBJECT

Withdrawal of Proposed Rule Amendment – 08.01.01, Rules of the State Board of Education and Board of Regents of the University of Idaho – Administrative Procedures and Records, Docket No. 08-0101-0401

APPLICABLE STATUTE, RULE, OR POLICY

N/A

BACKGROUND

At the June meeting, the Board approved a rule that would allow them to grant a waiver of compliance with any rule promulgated by the Board to the extent compliance with the rule is not otherwise required by statute or federal law. Subsequent to the meeting, Board staff submitted the rule for publication and to Legislative Services for review. Board staff received an analysis from Legislative Services that suggests the Board may not have constitutional or statutory authority to promulgate this rule.

DISCUSSION

The Board has the authority at any time to withdraw a proposed rule. If the Board chooses to withdraw the rule, it will not be presented to the Legislature for review in 2005. Furthermore, any requests for hearings will be negated and unnecessary if the Board chooses to withdraw the rule at this time.

IMPACT

Withdrawal of the proposed rule will allow Board staff time to meet with Legislative Services to discuss and review the options that are available.

STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends withdrawal of the proposed rule amendments.

BOARD ACTION

A motion to withdraw Docket No. 08-0101-0401, “Rules of the State Board of Education and Board of Regents of the University of Idaho – Administrative Procedures and Records”, as proposed rules.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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IDAPA 08
TITLE 01
CHAPTER 01

**08.01.01 – RULES OF THE STATE BOARD OF EDUCATION AND
BOARD OF REGENTS OF THE UNIVERSITY OF IDAHO -
ADMINISTRATIVE PROCEDURES AND RECORDS**

~~002.---049.(RESERVED).~~

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to the authority of the State Board of Education under Article IX, Section 2 of the Idaho Constitution and under Sections 33-105, 33-107, 33-2804, 33-3104, 33-3006, 33-4005, and 33-2211, Idaho Code. (6-17-04)T

001. TITLE AND SCOPE.

01. Title. These rules shall be known as IDAPA 08.01.01, “Rules of the State Board of Education and Board of Regents of the University of Idaho – Administrative Procedures and Records”. (6-17-04)T

02. Scope. These rules govern the rulemaking and contested case procedures as well as procedures for responding to public records requests. (6-17-04)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 64-5201(10)(b)(iv), Idaho Code, any written interpretation of the rules of this chapter are available at the Office of the State Board of Education. (6-17-04)T

003. ADMINISTRATIVE APPEAL.

Unless otherwise provided for in the rules of the State Board of Education or in the State Board of Education Governing Policies and Procedures, all administrative appeals allowed by law shall be conducted as provided herein. (6-17-04)T

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference into these rules. (6-17-04)T

005. OFFICE—OFFICE HOURS—MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the State Board of Education is in Boise, Idaho. The mailing address is PO Box 83720, Boise, Idaho, 83720-0037. The State Board of Education’s street address is 650 West State Street, Room 307, Boise, Idaho, 83702. The office hours are from 8:00 a.m. to 5:00 p.m., except Saturday, Sunday and legal holidays. (6-17-04)T

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006. PUBLIC RECORDS ACT COMPLIANCE.

This rule has been promulgated in accordance with the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, and is a public record. (6-17-04)T

007. WAIVERS.

The State Board of Education may grant a waiver of compliance with any rule promulgated by the State Board of Education to the extent that compliance with such rule is not otherwise required by state or federal law. State and federal law includes case law (including consent decrees), statutes, constitutions, and federal regulations.

(6-17-04)T

051008. – 049.(RESERVED).