

**INSTRUCTION, RESEARCH, AND STUDENT AFFAIRS  
JUNE 16-17, 2005**

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<b>TAB</b>	<b>DESCRIPTION</b>	<b>ACTION</b>
<b>1</b>	<b>LEP SUBCOMMITTEE RECOMMENDATIONS</b>	Motion to Approve
<b>2</b>	<b>EXTERNAL REVIEW REPORT OF THE IDAHO STANDARDS ACHIEVEMENT TESTS</b>	Information Item
<b>3</b>	<b>REPORT ON FEDERAL FUNDS FY05</b>	Information Item
<b>4</b>	<b>TITLE IIA IMPROVING TEACHER QUALITY STATE ACTIVITIES FUND</b>	Motion to Approve
<b>5</b>	<b>APPROVAL OF DISTRIBUTION OF FEDERAL GRANT FUNDS FOR WHICH THE BOARD IS THE STATE EDUCATION AGENCY FY06</b>	Motion to Approve
<b>6</b>	<b>PROPOSED RULE – IDAPA 08.02.03, RULES GOVERNING THOROUGHNESS, LEP AND NAEP REQUIREMENTS</b>	Motion to Approve
<b>7</b>	<b>TEACHER MENTORING COMMITTEE UPDATE</b>	Motion to Approve
<b>8</b>	<b>IDAHO/WASHINGTON RECIPROCITY AGREEMENT</b>	Motion to Approve
<b>9</b>	<b>REPORT ON THE UNIVERSITY OF IDAHO ARCHITECTURE PROGRAM</b>	Information Item

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**JUNE 16-17, 2005**

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**SUBJECT**

Limited English Proficiency (LEP) Sub-committee Final Report and Recommendations

**APPLICABLE STATUTE, RULE, OR POLICY**

N/A

**BACKGROUND**

In January 2004, the State Board of Education created an LEP Sub-committee to examine systems, procedures, methodologies, and best practices for the LEP programs in the State. The Sub-committee was commissioned to look at the overall learning environment for LEP students, to identify the gaps in programming, and to provide recommendations for the State to move forward in serving these students.

**DISCUSSION**

The LEP Sub-committee, through ongoing discussions, district visits, interviews and surveys, evaluated the current systems in place within the LEP framework. The Committee identified gaps, evaluated deficiencies, and developed a set of recommendations to help ensure LEP students in Idaho achieve academically and linguistically and perform at the same level as all students. The recommendations in the Committee's Final Report are not intended to be an exhaustive list for all of the areas within minority and Hispanic education that need attention. Rather, they are meant to address the key areas that the Sub-committee believes will move the State forward in closing the achievement gap for English language learners. The committee believes the changes or improvements needed in the LEP Program lie within the following areas:

- (1) For districts/schools – To improve instruction and support services to better meet the needs of LEP students;
- (2) For colleges/universities – To improve teacher and administrator preparation programs to better serve LEP students; and
- (3) For the state - To establish a statewide language proficiency test and accountability system for LEP students.

**IMPACT**

The LEP Sub-committee Final Report and Recommendations document will be a valuable resource for districts and schools as they move forward in developing their LEP programs to comply with federal regulations. The report will also influence discussions with colleges/universities to modify their teacher education programs to better serve students in the state. Several recommendations were identified by the LEP Sub-committee as items that should be developed into policy.

A success story of a former LEP student from Boise is included with this agenda item.

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**STAFF COMMENTS AND RECOMMENDATIONS**

Board staff recommends that the Board accept the Sub-committee Final Report and Recommendations document, set forth by the LEP Sub Committee.

Board staff also recommends that the Board initially approve the items identified for policy development by the LEP Program Manager. Refer to the following policy recommendations:

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No. 8	Page 9
No. 10	Page 11
No. 15	Page 13
No. 24	Page 16
No. 25	Page 17

**BOARD ACTION**

A motion to accept the LEP Sub-committee Final Report and Recommendations document and to approve policy recommendations on development.

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

**The Idaho State Board of Education's  
Limited English Proficiency (LEP) Sub Committee**

**Final Report  
and  
Recommendations**

**JUNE 2005**

**Committee Members**

Blake Hall, Chair  
Paul Agidius  
Marilyn Howard  
Rod Lewis  
Dianne Allen  
Irene Chavolla  
Linda Christensen  
Saundra Deklotz

Ann Farris  
Jose Garcia  
Ted Garcia  
Elmer Martinez  
Don Peña  
Rogelio Valdez  
Delia Valdez  
Wendy Verity

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### **LEP Sub Committee**

In January 2004, the State Board of Education created an LEP Sub Committee to examine systems, procedures, methodologies, and best practices for the LEP programs in the State. The Sub Committee was commissioned to look at the overall learning environment for LEP students, to identify the gaps in programming, and provide recommendations for the State to move forward in serving these students. This document is the final report and recommendations set forth by the Committee to ensure that LEP students in Idaho achieve academically and linguistically and perform at the same level as all students. A full list of the Sub Committee's goals and accomplishments can be found in Appendix A.

### **Background**

Each year, Idaho is faced with increasing numbers of Limited English Proficient (LEP) students, also referred to as English Language Learners (ELLs). However, not all ELLs are placed into a specific LEP program that is tied to State and Federal funding, due to parent waivers or fluency in the English language. Therefore, for the purposes of this document, LEP refers to those students identified and placed in a specific LEP program and ELL refers to any student who has a native language other than English, but is not necessarily placed in a program for funding. Districts reported 20,987 LEP students in May 2005. The State Board of Education estimates an increase of about 2000 new LEP students per year, based on the average increases over the past 10 years.

Over 80% of the LEP students in Idaho are Hispanic. In 2003-2004, 30.9% of the LEP students enrolled in services were classified as 'migrant students' (students who move with their parents either between states or districts in search of agricultural work). However, it is essential to note that there are students from over 90 countries in the schools throughout the State. This number is due to overall immigration, the international business presence in the area, the continuing refugee resettlement efforts and ongoing migrant work in agriculture and dairies. In the past years, groups from Bosnia, Afghanistan and Somalia have arrived. Several cities in Idaho have refugee resettlement agencies, therefore are considered in national refugee resettlement efforts. This trend will continue to significantly impact our school districts.

Several reviews and court decrees have sought to address the issues of the increasing number of LEP students and the achievement gap resulting from the lack of English language proficiency, formal schooling and poverty issues. The State Department of Education and the State Board of Education have begun the process of putting policies and procedures in place to build a solid foundation for these students and to address the issues set forth in the state legislative, court and Federal documents. In order to move the district LEP programs towards success, pivotal issues such as teacher training, district accountability, and funding adequacy must be addressed by the State.

### **History of LEP Programming in Idaho**

Over the past decade, the Idaho State Department of Education managed the LEP program through Title VII of the Elementary and Secondary Education Act (ESEA) and through the Idaho Consent Decree, neither of which carried forceful accountability measures. In 2002, No Child Left Behind (NCLB) amended the ESEA through a consolidation of the discretionary Bilingual Education Program and the Emergency Immigrant Education Program into the new Title III State Formula Grant Program. With this reauthorization, new rules and regulations in the programming for LEP students were implemented that had not been required in the past.

It is important to note the magnitude of the change from Title VII to Title III. The Title III formula program grant replaced general grant funding for smaller and uncoordinated projects and services under Title VII. Title VII did not mandate a comprehensive program, but under Title III, States are required to develop a cohesive system of standards and assessments that meet the new NCLB requirements. The main NCLB requirements for LEP students are that districts must:

- (1) Provide a language development program that meets academic achievement standards and enables students being served to develop English proficiency;
- (2) Annually assess LEP students in language proficiency, report on growth data and be accountable for student growth;
- (3) Provide high quality professional development for teachers and administrators;
- (4) Promote parental and community participation in the LEP Programs.

Subsequently, in 2002, the Idaho State Department of Education's Federal Programs Bureau began to implement these new procedures and policies through the development of Annual Measurable Achievement Objectives (AMAOs), English language proficiency standards, data reporting systems and assistance with district LEP Plans. The LEP Plans are required by each district with LEP students to demonstrate how they will meet the requirements of the program.

Shortly after this reauthorization, which highlighted the gaps in LEP performance, the Idaho State Board of Education made the decision to administer the program out of the Office of the State Board of Education. The legislature and various Hispanic advocacy groups prompted the move in order for the Board to evaluate the LEP programming in the state, consider policy areas and develop cohesive programming. The LEP Sub Committee was established in January 2004 and a staff member was hired full time in April 2004 to manage the LEP Program. The LEP Program Manager has spent the last 12 months making progress towards Federal and State compliance, providing technical assistance for the LEP



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programs in the State, and coordinating with the LEP Sub Committee to develop recommendations to the Idaho State Board of Education.

## **Current Situation**

The LEP Sub Committee, through ongoing discussions, district visits, interviews and surveys, evaluated the current systems in place within the LEP framework. The Committee identified gaps, evaluated deficiencies and has come up with the following recommendations for the LEP Program. These recommendations are not intended to be an exhaustive list for all of the areas within minority and Hispanic education that need attention. Rather, they are meant to address the key issues that the Sub Committee believes must be addressed to move the state forward in closing the achievement gap for English language learners. The committee believes the changes or improvements needed in the LEP Program lie within the following areas:

- (1) For districts/schools – To improve instruction and support services to better meet the needs of LEP students;
- (2) For colleges/universities – To improve teacher and administrator preparation programs to better serve LEP students; and
- (3) For the state - To establish a statewide language proficiency test and accountability system for LEP students.

## **1. Issues and Recommendations for districts/schools to improve instruction and support services to meet the needs of LEP students**

### **Overview**

Currently state and Title III Federal funds support Idaho's LEP students. Both funding sources bring rules and regulations with which the districts and schools with LEP students must comply. Information regarding the regulations has been disseminated to the districts in multiple ways (LEP Plan guidance, district visits, email communication and the LEP Website). Every district has the flexibility to implement the regulations in the manner that is the most successful and most feasible within the district. This has provided the districts with flexibility; however, many districts are still not in full compliance with implementing the program requirements and, ultimately, many students are still not getting the services they need.

### **Issues and Recommendations**

As the term "best practices" circulates, NCLB language, teachers and administrators are seeking answers to what this means. The LEP Sub Committee recognizes that there is a lack of current research for "best practices" in the education of LEP students, as it is an under-identified field of research. Even

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with much of the research supporting bilingual programs,<sup>1</sup> it is apparent that most Idaho districts do not have the financial and human resources to run comprehensive bilingual programs. However, research does indicate that there are specific practices that ensure a successful program if implemented fully and correctly and that “an ELL program model may be only as effective as the whole school within which it is implemented.”<sup>2</sup> The Sub Committee concurs that the following practices are essential to effective programming and are the key factors, or guiding principles, for any program in affecting achievement of English language learners.

- 1. *Ongoing Professional Development***
- 2. *Administrator support***
- 3. *Parental involvement***
- 4. *Usage of solid curriculum aligned with state standards***
- 5. *Understanding demographics and culture***
- 6. *Implementing LEP programming appropriate for LEP students***

These components are incorporated in Federal regulations of Title III programming; however, not all districts are implementing these components to the extent necessary to be effective. Therefore, the Sub Committee recommends specific change or improvements within the following areas to ensure that district and school services are positively effecting the achievement of LEP students.

## ***Ongoing Professional Development***

Title III, Section 3115(c)(2) states that districts must provide high-quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction programs), principals, administrators, and other school or community-based organizational personnel. The professional development must be “of sufficient intensity and duration (which shall not include activities such as one-day or short-term workshops and conferences...unless the short term professional development is part of a long term comprehensive plan.”) The law also requires that professional development needs to be based on identified needs of the students and linked to long term planning.

**Identified Gap:** The LEP Sub Committee has identified that teachers and administrators are not sufficiently prepared for the influx of English language learners with specific instruction that is required for their success in school<sup>3</sup>. LEP students are served throughout the school, therefore everyone must be

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<sup>1</sup> Collier, Virginia P and Thomas, Wayne P. “A National Study of School Effectiveness for Language Minority Students’ Long-Term Academic Achievement Final Report.” 1996-2001. George Mason University. [http://www.crede.org/research/llaa/1.1\\_conclusions.html](http://www.crede.org/research/llaa/1.1_conclusions.html)

<sup>2</sup> Northwest Regional Educational Laboratory. “English Language Learner Programs – Findings From Literature.” Portland, Oregon. 2004.

<sup>3</sup> Also identified in 2002 by Gary R. Hargett. “Summary of Evaluation Report on State of Idaho Services to Hispanic LEP students.” 2002.

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sufficiently prepared. If there are professional development opportunities within the districts, it is short term, usually revolving around workshops. Therefore, the Sub Committee believes the following recommendations will increase student performance in the classroom. Districts with a student population of under 1000 should join with another district to provide effective and explicit instruction for professional development, in order to share costs.

**#1. General Recommendation:** Designate at least one full in-service day per year for all teachers, aides, and staff to receive professional development/training to meet the academic and cultural needs of LEP students. This in-service day should cover school and districts' plans to meet the needs for LEP students, as well as address key instructional strategies for all teachers. Cultural awareness must also be addressed. Examples of successful strategies that can be integrated into a broader program are ESL strategies, the SIOP (Sheltered Instruction Observation Protocol), GLAD (Guided Language Acquisition Design) and CALLA (Cognitive Academic Language Learning Approach) methodologies. These sessions may also make up part of several instructional times, or multiple in-service days.

**Responsibility:** School administrators with assistance from district personnel.

**Funding source:** Title III, State LEP and general funds.

**#2. General Recommendation:** Require all teachers and administrators who interact with one or more LEP students to take at least 30 in-service hours, or three credit hours, of continuing education and/or re-certification in meeting the needs of LEP students. These hours should be focused on direct skills training and methodologies to serve LEP students. This requirement would be waived if a teacher/administrator has an endorsement in Bilingual/ESL Education.

**Responsibility:** School administrators, district offices, colleges/universities.

**Funding Source:** Title III, State LEP and general funds.

**#3. Policy Recommendation:** Train all teachers and paraprofessionals working specifically with LEP students, whether within an LEP Program or a mainstream class, a minimum of 8 hours in cultural competency, as well as in a methodology, such as the SIOP model, or in a program of equal scope and duration that addresses the needs of LEP students (GLAD, CALLA). Training should focus on how to incorporate a language objective in addition to the content objective for each lesson plan, as all classes use the English language as a means of instruction. This training should take place within 2 years of entering the teaching field. Teachers who have already been trained would be required to demonstrate the application of the methodology within their classroom.

**Responsibility:** School administrators/district offices may bring trainers into the district **or** send key teachers to a training of trainers course. Districts would be responsible in monitoring classroom application.

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**Funding Source:** Title II teacher quality funds, district Title III and State LEP funds, district general funds. Title III and Title I-C Administration funds should be used for regional trainings, coordinated with the Northwest Regional Education Lab (NWREL).

**#4. General Recommendation:** Align professional development activities, for administrators, teachers and paraprofessionals, with the District LEP Plan. All professional development should be “of sufficient intensity and duration (which shall not include activities such as one-day or short-term workshops and conferences, [unless the workshop is one part of a long term professional development plan, established by a teacher and supervisor”] (NCLB Section 3115(c)(2)(D)). Professional development should include training in curriculum adaptation strategies and instructional accommodations, as well as methodologies referenced in recommendation #3.

**Responsibility:** District LEP Coordinator, Administrators.

**Funding Source:** Title I, Title III and State LEP funds.

## ***Administrator Support***

The LEP Sub Committee recognizes that one key to the success of teachers is a supportive, yet structured environment<sup>4</sup>. Any activity, training, curriculum, or methodology used within a district or school must be led and supported by the administration, inclusive of superintendents and principals.

**Identified Gap:** The LEP Sub Committee has identified through discussions with teachers in various districts, the issue of lack of administrator support as an area that is hindering LEP programming within the schools/districts. Many teachers are being trained in Bilingual/ESL education and are given tools to support the students, however when hired into districts they are not given the support from the administration they need to succeed.

**#5. General Recommendation:** Work with the State Department of Education to coordinate administrator trainings to address the specific areas of how to assist at risk students. The Association of Idaho Administrators should be informed, so that English language learner components can be included in their ongoing professional development program for administrators.

**Responsibility:** State LEP Program, SDE, and Idaho Association of Idaho Administrators.

**Funding Source:** Title III administrative funds, Title I funds.

## ***Parental Involvement***

Parental involvement is essential for student achievement. Students drop out of school because parents may not understand the educational system, economic issues, or students are not encouraged to stay in school and go to college. Much of this is because parents of LEP students may not understand the benefits of

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<sup>4</sup> Goldenberg, Claude. Successful School Change. Teachers College Press, New York, New York. 2004.

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education and staying in school. In addition, some parents do not have a clear understanding of the American educational system or of the standards required for graduation. Title III requires, in section 3116, that local LEP Plans describe how the district will promote parental and community participation in programs for LEP students. As parents get more involved in their children's education, they will see the resources and benefits that an education has to offer.

**Identified Gap:** The LEP Sub Committee has identified that even though the districts are required to write a parental involvement section within their LEP Plan, many districts in effect, do little more than translate some of the documents that go home. Title III regulations mandate that all documents sent home are translated into the languages to the extent practicable and that parental involvement be much more comprehensive than solely notifications sent home.

**#6. General Recommendation:** Translate all documents sent home to parents into the various languages represented in the district, to the extent feasible. Distribute documents and notices in multiple forms such as, paper, electronic and through verbal communication.

**Responsibility:** Administrators, LEP teachers.

**Funding Source:** Title I, Title III funds, District general funds.

**#7. General Recommendation:** Provide common LEP program documents, including translations, on the LEP website for districts to access.

**Responsibility:** State LEP Program.

**Funding Source:** Title III administrative funds.

**#8. Policy Recommendation:** Develop a parent advisory council, in collaboration with the Title I programs, within Title III districts that have at least 5%, or a significant population of LEP students. This council should meet regularly (monthly or quarterly) to develop outreach plans, activities and literacy assistance for parents in the area. Districts are recommended to provide their parent advisory councils with a culturally relevant and effective parent involvement training program that has been demonstrated to increase parental understanding of the educational system, and that has resulted in LEP student academic success, increased high school graduation, and increases in the number of LEP students going on to higher education. The council should be representative of the demographics of the student population in the district. The State LEP Program should help districts with identifying parent involvement training models or programs available.

**Responsibility:** District office, school administrators.

**Funding Source:** District Title III, State LEP, Title I and general funds.

## ***Usage of Solid Curriculum Aligned with State Standards***

NCLB discusses the need for districts to improve the instructional program for LEP students "by identifying, acquiring, and upgrading curricula, instructional materials, educational software and assessment procedures." (Section

3115(d)(2)). In addition, NCLB requires that LEP students be measured according to the achievement assessment. Therefore, solid content-based curriculum is essential in providing the LEP students with the tools they need to succeed in Idaho schools.

**Identified Gap:** The LEP Sub Committee has identified that many districts and schools are using ad hoc resources for their LEP students and programming. Much of the curriculum is not aligned to state standards and many questions are asked about what curriculum districts should implement. The State will only be able to recommend specific curriculum through the **curriculum adoption process** every year in June. More information can be found at: <http://www.sde.state.id.us/instruct/Curriculum/>. The recommend curriculum is aligned with the State's English language proficiency (ELP) Standards, which are based on the Idaho Content Standards. The LEP Sub Committee recognizes that the curriculum must be based on content, and in addition, the content classes incorporate language objectives, since all classes use the English language as a means of instruction.

**#9. General Recommendation:** Consider using the State funded Plato I-PLN (Idaho Plato Learning Network) program in assisting LEP students with supplemental instruction. Plato Learning's I-PLN is a computer based courseware available to Idaho school districts to assist in many different areas. The I-PLN does not replace direct instruction for LEP students and can be the one source for supplemental instruction for LEP students.

**Responsibility:** School administrators, District offices.

**Funding Source:** NA- The I-PLN is funded.

### ***Understanding of Demographics and Culture***

Districts must be able to identify who their students are in order to provide appropriate services. Many students in Idaho are coming from a multitude of circumstances that have either positively or negatively affected their level of education. Research states that student variables may affect academic success<sup>5</sup>. Therefore, it is essential that districts are aware of whether a particular student or group of students has had previous formal education, is literate or not, and what the cultural norms are for the ethnic group(s), etc.

**Identified Gap:** The LEP Sub Committee has identified an increasing number of students from many different countries. Not all students have the same educational background and therefore cannot be given identical services to other LEP students. Even districts that have Spanish as the dominant minority language, cannot assume that all students can be given the same instruction. Many Spanish-speaking students come from different countries and different circumstances.

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<sup>5</sup> Northwest Regional Educational Laboratory. "English Language Learner Programs – Findings From Literature." Portland, Oregon. 2004. Page 32.

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**#10. Policy Recommendation:** Report annually on the overall demographics in the district LEP Plans and data collections. Student reports should be disaggregated by ethnicity and country of origin.

**Responsibility:** District LEP Coordinators.

**Funding Source:** Title III, State LEP funds.

**#11. General Recommendation:** Use data from LEP student assessments to identify areas for differentiating instruction.

**Responsibility:** School administrators, teachers.

**Funding Source:** Title I, Title III and State LEP funds.

**#12. General Recommendation:** Work with the Special Education Department and Gifted and Talented Program to define the process for identifying and serving LEP students with special needs. The current identification process is vague and special education services provided for LEP students are not consistent.

**Responsibility:** State LEP Program, SDE- Special Education, Gifted and Talented Program.

**Funding Source:** Title I, Title III and Special Education funds.

## ***Implementing LEP programming appropriate for LEP students***

One main area that was highlighted in NCLB is the necessity to address the specific needs of English language learners and to serve them according to those needs. Before the reauthorization of the ESEA, LEP students only received ad hoc services. With new accountability measures for LEP students to meet language acquisition and content area objectives, researchers, including school districts themselves, are realizing what works and what does not work in the comprehensive education of English language learners.

**Identified Gap:** The LEP Sub Committee identified districts in Idaho, such as Murtaugh and Valley View that are implementing Pre-K and full day Kindergarten for their LEP students. These districts are achieving high success in teaching children English. The extra time for language instruction and literacy development is key for the younger LEP students, so they are able to read at grade level by grade 3. Research states that high-quality preschool programs and full day kindergarten<sup>6</sup> are successful mechanisms for achieving the goal of early literacy. However, there is no specific funding for these programs; most districts are unable to implement these early childhood development programs.

**#13. General Recommendation:** Consider using LEP and Title III funds for Pre – K and full day Kindergarten to specifically address English Language Learners.

**Responsibility:** School administrators, legislators

**Funding Source:** General funds, Title III and State LEP funds.

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<sup>6</sup> Northwest Regional Educational Laboratory. "Full Day Kindergarten: Exploring an Option for Extended Learning." <http://www.nwrel.org/request/dec2002/kindergarten.pdf>

**Identified Gap:** Programming for LEP students can no longer be separated from the general education. As the number of LEP students increases each year and accountability measures for LEP students span language and content objectives, LEP students must learn Reading, Math, Science, History, take P.E., etc., as they simultaneously learn English. Because of this, LEP services must be integrated into all classes. Many programs, assessments and interventions do not take into consideration the special needs of English language learners, leading to one reason why these students are being left behind.

**#14. General Recommendation:** Design and implement all programs (e.g. Reading First, Early Start, school improvement plans, State Department of Education Academies, school-wide school plans, professional development plans, coordination of federal and state programs with LEP Program, etc) with consideration for LEP students.

**Responsibility:** All State Department of Education programs, State LEP Program, district and school administrators.

**Funding Source:** Title I, Title III and State LEP funds, and general district funds.

## **2. Issues and Recommendations for colleges/universities to improve teacher and administrator preparation programs to better serve LEP students**

### **Overview**

In order to provide for the influx of English language learners in Idaho, the institutions of higher education must seek to increase the number of teachers certified in Bilingual/ English as a Second Language (ESL) education and to incorporate cross cultural teaching and ESL instructional methods for all prospective teachers. The preparation for certification must be appropriate not only to the research and trends in Bilingual/ESL education, but also to what the realities are of teaching LEP students in Idaho schools. Several universities/colleges in Idaho have established programs for Bilingual/ instruction, many with assistance from the legislative "Grow Your Own" program, which provides scholarships to paraprofessionals working with Bilingual/ESL, so that they become certified and stay in Idaho to teach.

### **Issues and Recommendations**

It is clear that the colleges/universities play an important role in the preparation of Idaho's future teachers and administrators. It is key that the State Board of Education and the institutions of higher education continually collaborate to meet the current and future needs of the LEP student populations. The State Board of Education's LEP Program conducted a survey of the universities to understand what types of classes and curriculum the institutions of higher education provide. Through this survey and discussions with teachers in Idaho, the LEP Sub Committee identified gaps in the education of Bilingual/ESL students, as well as



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in the general education and administration curriculum in providing the appropriate services for the needs of our LEP student population today.

**Identified Gap:** Quite possibly no other program under the ESEA was as radically changed in the reauthorization to No Child Left Behind as the Title III program for LEP students. The change in the law brought rules and regulations to hold states and districts accountable for serving a subgroup that had previously only been provided ad hoc services. The understanding of the new law is essential in successfully working with LEP programs in any school. The LEP Sub Committee identified through surveys and discussions with teachers in the field, that there is a lack of instruction, for future Bilingual/ESL teachers, general education teachers, and future administrators regarding (1) English language learner issues and laws and (2) the administration of Federal programs, inclusive of providing standards based education. It was also identified that heavy emphasis is placed on Bilingual education theory, rather than hands-on ESL strategies and methodologies, focused on serving students from diverse backgrounds.

**#15. Policy Recommendation:** Perform a program self-evaluation of the education and Bilingual/ESL programs, concerning how the schools of education are addressing the needs of LEP students in the state. The self-evaluation will also provide information on how the programs are meeting the recommendations for colleges/universities within this document. A committee focused on English language learner issues will review program evaluations and report back to the colleges/universities on deficiencies and areas to be addressed. Programs will subsequently develop a plan and realign curriculum describing institutional efforts to increase/modify services in order to meet the needs of Idaho school districts and LEP students.

**Responsibility:** College of Education Deans, department heads.

**Funding Source:** College/university funds.

**#16. General Recommendation:** Work with teacher education deans in Idaho to promote a broad based understanding of issues pertaining to English language learners and the importance of providing specific courses for administrators and general education teachers.

**Responsibility:** State LEP program, OSBE Chief Academic Officer, College of Education Deans.

**Funding Source:** Title III administration funds.

**#17. General Recommendation:** Offer methodology classes, such as ESL strategies, SIOP, CALLA, GLAD, as well as standards-based education, in order to meet the needs of LEP students within the current operating environment of NCLB.

**Responsibility:** College/university education and Bilingual/ESL programs.

**Funding Source:** College/university funds.

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**#18. General Recommendation:** Provide instruction within general education and Bilingual/ESL programs to address the administration of federal programs, inclusive of the Office of Civil Rights (OCR), Title I and Title III regulations for LEP students.

**Responsibility:** College of Education Deans.

**Funding Source:** College/university funds.

**#19. General Recommendation:** Provide instruction within general education programs for all teacher and administrator candidates on language learner issues and laws and how to work with diverse student populations, beyond general multicultural education classes. Specific strategies should be addressed for providing accommodations for ELL students within the classroom, assignments and activities.

**Responsibility:** College of Education Deans.

**Funding Source:** College/university funds.

**#20. General Recommendation:** Provide specific instruction within Bilingual/ESL programs for language acquisition that includes a phonics-based approach.

**Responsibility:** College of Education Deans.

**Funding Source:** College/university funds.

**#21. General Recommendation:** Provide instruction within general education and Bilingual/ESL programs regarding standards-based curriculum and standards-based lesson planning to all future teachers, taking into consideration the English language proficiency (ELP) standards in listening, reading, speaking and writing.

**Responsibility:** College of Education Deans.

**Funding Source:** College/university funds.

**#22. General Recommendation:** Provide instruction to all education students regarding the I-PLN program, as all colleges/universities have complete access to the I-PLN program.

**Responsibility:** College of Education Deans.

**Funding Source:** College/university funds.

**Identified Gap:** Currently there is a shortage of certified Bilingual/ESL teachers in the schools in Idaho to meet the needs of the growing ELL population. In addition, under NCLB, LEP students must learn content at the same time they are learning English. Therefore there is a gap not only with needing to retain more certified Bilingual/ESL teachers, but there is also a lack of teachers who are qualified in a content area as well as in Bilingual/ESL instruction. More incoming students need to be given incentives for going into Bilingual/ESL education, in addition to obtaining a content area certification, and also incentives for staying in Idaho to teach. The LEP Sub Committee recognizes the success of the Grow

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Your Own Program and the importance of providing institutions with funds to distribute scholarships in this area. In addition, the Transition to Teaching and State Agency of Higher Education (SAHE) Teacher grants have helped provide incentives for Bilingual/ESL teachers in content instruction in Idaho.

**#23. General Recommendation:** Increase funding to institutions of higher education for scholarships in order to enable Bilingual/ESL program expansion and outreach to students desiring to teach in Idaho and to encourage students to be certified in a content area in addition to receiving an endorsement in Bilingual/ESL education.

**Responsibility:** Idaho legislature, college/university education programs.

**Funding Source:** Legislative funds.

### **3. Issues and Recommendations for the state to establish a statewide language proficiency test and accountability system for LEP students**

#### **Overview:**

NCLB mandates that all states implement certain requirements, including a single statewide English Language Proficiency (ELP) assessment for LEP students by spring 2006. In addition, states are required to develop annual measurable achievement objectives (AMAOs), holding LEP students accountable for growth and proficiency in language development. These AMAOs are to be aligned with the ELP Standards and the state ELP assessment. The AMAOs will also be directly correlated with policy regarding number of years allowable for students to be in an LEP program, as well as district funding determinations.

Idaho is in the process of developing the statewide ELP assessment. After the first implementation year, cut scores for the assessment will be developed and the current AMAOs will be aligned with the single statewide language proficiency assessment.

**Identified Gap:** The State Board of Education will contract a test vendor in June 2005 to develop a language proficiency test, appropriate to Idaho, using test items developed by the Mountain West Assessment Consortium (MWAC). The contract will include an alignment study to determine the percentage of the test linked to the English language proficiency standards, subsequent alignment, printing/distribution, administration and scoring of the assessment.

The annual contract for a test vendor is estimated at \$500,000 for the first year, with out-year development potentially lower. Title VI Assessment funds, totaling up to \$500,000 are reserved in FY06 budget for Year 1 of the ELP Assessment Contract. However, Title IV funds are fully allocated for the next 5 years to other priorities with the ISAT. Therefore it is necessary to determine the funding source for the annual English language proficiency test. Since this is a

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mandatory statewide assessment, the LEP Sub Committee has determined that it should be funded by the state.

**#24. General Recommendation:** Seek, from the legislature, an estimated additional \$275,000 per year for LEP administrative funds, in addition to the annual increases in the budget for per student funding, for the contractor costs associated with the annual development, administration, and scoring of the English language proficiency assessment.

**Responsibility:** Legislature. Office of the State Board of Education.

**Funding Source:** Additional allocation of legislative funds for the LEP program.

**Identified Gap:** The State Board of Education has determined that NCLB accountability measures apply to all districts, inclusive of those that do not receive Federal funding. However, it has not been articulated that Title III regulations apply to all districts as well, as this directive was based on Title I accountability.

Implementing a statewide accountability system, within the LEP program, would provide consistency with information sharing, programmatic guidance, reporting of information from districts (data collection) and reporting to the State Legislature and U.S. Department of Education. Specific Federal accountability measures can be found in Appendix C.

If Idaho chooses to not apply Title III accountability measures to all districts with LEP students, the state will have to develop an alternate system of accountability for those districts only receiving state LEP funds.

**#24. Policy Recommendation:** Apply Title III regulations and accountability to all districts with LEP students.

**Responsibility:** State LEP Program.

**Funding Source:** Title III, State LEP funds.

**Identified Gap:** Currently the Rules Governing Thoroughness, Section 111.04.c *Assessment in the Public Schools*, states that LEP students may be considered for an LEP program for no longer than 7 years (inclusive of the mandatory 2 years of monitoring).

This year determination for the LEP Program was taken from Title I, Section 1111(b)(3)(C)(ix)(III). However the Federal law was interpreted incorrectly and it was actually for LEP students to take an *alternate* Standard Achievement Test. This alternate assessment would be a native language version of the ISAT, which Idaho has decided to not implement. An LEP student may take the ISAT with accommodations until they test proficient on a language proficiency test and exit the program. In addition, OCR and the Idaho Consent decree state that an LEP student may be in a program until they are proficient in English.

Idaho will seek to align the specific number of years an LEP student can be in a program, with language proficiency levels and growth targets after the first ELP assessment is administered and baseline data are gathered.

**#25. Policy Recommendation:** Remove the limit of 7 years in an LEP program, under the assessment section 111.04.c in the Rules Governing Thoroughness, State Board of Education. Subsequently, realign the Annual Measurable Achievement Objectives for the LEP programs and make a determination for how many years a student should feasibly be in an LEP program. The determination will be in direct alignment with the statewide assessment and objectives for growth, so that educators in Idaho are working within a standard rubric. The aligned programming components will be proposed to the Board in a new *LEP Program* section within the Rules Governing Thoroughness.

**Responsibility:** State LEP Program, ELP assessment vendor.

**Funding Source:** Title IV, Title III funds.

## **Sub Committee Final Meeting and Conclusions**

The committee proposed the following in the final meeting, dated May 18, 2005, in order to ensure the next steps for the *LEP Sub Committee Final Report and Recommendations* document.

### **General Follow Up**

- Send the recommendations document to the State Board of Education for approval as an overall recommendations document with consideration to follow up on the policy recommendations indicated within the document.
- Distribute the recommendations document to districts, universities, and other stakeholders encouraging consideration.
- Seek, from the legislature, an estimated additional \$275,000 per year for LEP administrative funds, in addition to the annual increases in the budget for per student funding, for the contractor costs associated with the annual development, administration, and scoring of the English language proficiency assessment.

### **Policy Consideration**

The LEP Sub Committee recommended six (6) recommendations to be considered as policy. With Board agreement, the LEP Program will work with key stakeholders to develop the recommendations into policy agenda items for Board approval. The items are defined as "Policy Recommendations" within the document (Recommendations: #3, #8, #10, #15, #24, #25).

### **Program Standards**

The LEP Program Manager will ensure that requirements and recommendations for successful LEP Programs are distributed to districts serving LEP students:

- Prepare an LEP Program Standards document/LEP Program Manual for districts.

### **Performance Measures**

The LEP Program will ensure a system of measuring district progress and integration of the Board recommendations:

- Monitor LEP students' English Language Proficiency (ELP) test scores;
- Monitor LEP students' ISAT scores;
- Provide comprehensive district monitoring to ensure that the appropriate programs and policies are in place within the district to support LEP student learning.

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## Appendix A: LEP Sub Committee Objectives and Accomplishments

Objectives	Accomplishments
To conduct a review of initiatives, legislation, funding or other actions taken in the state of Idaho to address educational gaps in minority student performance.	The Sub Committee reviewed the initiatives in the state of Idaho, including HB 787, the Consent Decree, legislative annual funding and the Blue Ribbon report.
To identify research-based approaches to English language acquisition and improved academic performance for target populations.	Professionals presented the SIOP (Sheltered Instruction Observation Protocol) to the Committee. This level of instruction is an overall approach to teaching students who are limited in their English ability within content classes. The Sub Committee noted that all districts have different needs and limitations, therefore the district focus should be on “successful practices”, inclusive of ongoing professional development with a model that suits their needs (such as the SIOP), administrator support, parental involvement, good curriculum, understanding district demographics.
Create a consistent mechanism for sharing of best practices in language acquisition and academic performance enhancement with local school districts.	The LEP Program developed an LEP web page on the Board of Education’s website, where district administrators and teachers have access to key documents, information, best practices, methodologies, etc. In addition, regional meetings are conducted annually providing program updates and successful strategies.
Increase the number of public teachers specifically trained to meet the needs of the target population.	The Office of the State Board of Education incorporated into SAHE (State Agency for Higher Education) Title II funding a priority for addressing English language learners’ needs for all teachers or the possibility of providing instruction for teachers in one or more approaches/models of instruction for English language learners. The LEP Program conducted a Higher Education Bilingual/ESL survey to address the successes and gaps within the Bilingual/ESL programs in the State.
Review and make recommendations to the Board regarding specific policy items.	In June 2004, the Sub Committee reviewed and recommended the English Language Proficiency Standards, that the Department had developed, for Board Approval
Review and make recommendations for the LEP Program regarding the LEP Program Action Plan, including challenges facing the LEP program.	In November 2004, the Sub Committee recommended actions for the LEP Program, as well as made recommendations regarding key challenges within the LEP Program. In May 2005, the Sub Committee reviewed and recommended to the Board a paper discussing key issues and recommendations for the LEP program.

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## Appendix B: List of LEP Sub Committee Members

NAME	TITLE	LOCATION
Delia Valdez	Principal Mountain View Elem. School	Burley
Linda Christensen	LEP Director -- Title 1 & ELL Meridian School District	Meridian
Ann Farris	Federal Programs Supervisor Boise Public Schools	Boise
Rogelio Valdez	Director Disability Determinations Department of Labor	Boise
Don Peña	Director of Education, Employment & Training Idaho Migrant Council	Caldwell
Ted & Josie Garcia	Owners, Angela's Restaurant Rupert	Rupert
Irene Chavolla	Coordinator, Migrant Education State Department of Education	Boise
Dianne Allen	Former Education Coordinator for the Coeur d'Alene Tribe	DeSmet
Elmer Martinez	Representative Legislature	Pocatello
Blake Hall	Member State Board of Education	Idaho Falls
Paul Agidius	Member State Board of Education	Moscow
Marilyn Howard	State Superintendent of Public Instruction	Boise
Rod Lewis	President State Board of Education	Boise
Wendy Verity	Limited English Proficiency Mgr State Board of Education	Boise
Saundra DeKlotz	Federal Programs Manager State Board of Education	Boise



## Appendix C: Title III Accountability Measures

Under Title III, Districts are held accountable to (**NCLB, Title III, section 3122(b)**) and measured according to:

1. Annual increases in the percent or number of LEP students making progress in acquiring English language proficiency.
2. Annual increases in the percent or number of LEP students attaining English language proficiency by the end of the school year, as determined by an English language proficiency assessment.
3. Making AYP (adequate yearly progress) on the spring ISAT for LEP students (section 1111(b)(2)(B)).

### Title III Accountability Measures

A. If a district LEP program fails to make progress toward meeting these objectives for two (2) consecutive years, the State Board of Education will work with the district to develop an improvement plan that specifically addresses the factors that prevented the district from achieving the objectives.

B. If a district LEP program fails to meet these objectives for four (4) consecutive years, the State Board of Education will either require the district to modify the curriculum and LEP program OR will make a funding determination and require the district to replace educational personnel.

#### C. Parental Notification – Sec 3302(b)

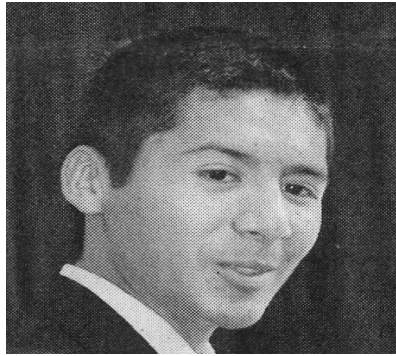
In addition to providing the general parental notifications, each district that has failed to make progress on the annual measurable achievement objectives for any fiscal year, shall separately inform a parent or the parents of a child identified for participation or participating in such program of such failure within 30 days.

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**JUNE 16-17, 2005**

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**MEET LUIS ALBIZO, STATE YOUTH OF THE YEAR**



Luis Albizo, 15, speaks at the Boys & Girls Club 2005 State Youth of the Year luncheon in Boise. Albizo, from Garden City, was one of four candidates for this year's award. Later in the day, Albizo was named this year's recipient. Albizo moved to Idaho with his family four years ago and spoke very little English. Through hard work and determination, he has learned the language and now helps his family adjust to life in Idaho. As winner of this year's award, Albizo will represent the state at the regional competition in California in June, as well as receive a \$2,500 scholarship from the Micron Foundation. The award promotes and celebrates the Club, community and family. Each of the local winners also will receive \$1,000 scholarships.

**Three Things That Have Made Me Successful**

- Luis Albizo, State Youth of the Year

The Boys and Girls Club has given me the opportunity with my success. There at the Club, I do all sorts of activities. For example, I'm the president of Key Stone and the "Y Que" Club. These two components of the Boys and Girls Club help us to raise money for teenagers who are part of the Club's Teen Center to go on field trips and buy all types of equipment. Sometimes with the Center's equipment, I play pool, but I also do my homework at the Club!

The English Language Learner (ELL) Program at Whittier Elementary also helped me a lot. My classroom and ELL teachers taught me to write, read, and speak English. I could then practice my vocabulary and my English at the Boys and Girls Club. The ELL programs have also helped my three brothers. My sister started Head Start in Boise and then went to regular classes. We were all learning English together and we all helped each other.

More than the Boys and Girls Club, the ELL Program and teachers at Whittier, it is my mom to whom I owe my success. She is the one who encouraged me to do all kinds of activities. She is the one who helped me take a step forward. My mom goes to school at the Boise Public Library's Learning Lab to improve her reading and writing in English. I am so surprised at my mom because she has to take care of five children and she still has time to go to school. I love my mom!

My dream is to help people by becoming a doctor and helping with the Boys and Girls Club. My dream also includes being a professional soccer player.

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**JUNE 16-17, 2005**

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**SUBJECT**

External Review of the Idaho Standards Achievement Tests (ISAT)

**APPLICABLE STATUTE, RULE, OR POLICY**

Rules Governing Thoroughness, IDAPA 08.02.03, Section 111.11.c

**BACKGROUND**

In May 2004, the Idaho State Board of Education released a Request for Proposals (RFP) for an external review of the Idaho Standards Achievement Tests (ISAT) as per the requirements for the "No Child Left Behind" Act. The purpose of this review was to ensure that the ISAT is meeting the criteria of the federal law as well as the rigor necessary for implementing a state assessment. After a competitive bid process, the Office of the State Board contracted with Human Resources Research Organization (HumRRO) in September 2004 to review the ISAT for validity, reliability and content alignment to the state achievement standards.

**DISCUSSION**

HumRRO submitted 9 reports which covered the following topics:

- Reliability
- Content validity (2 reports)
- Curriculum validity and instructional validity (1 report)
  - Administration of a survey to all Idaho school districts and visiting 6 districts on site (3 reports)
- Alignment
- Item Mapping

**IMPACT**

An action plan has been developed in response to the findings and recommendations identified in the reports. Implementing these suggestions will improve the overall quality of the ISAT and meet the provisions set forth in NCLB for statewide assessments.

**STAFF COMMENTS AND RECOMMENDATIONS**

There will be a formal presentation on the results of the reports and the action plan will be discussed. Attached is a summary of the 9 reports based on the research reports submitted by HumRRO and the action plan.

**BOARD ACTION**

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

**REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY**

Rules Governing Thoroughness, IDAPA 08.02.03, Section 111.11.c

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

**11. Test Security, Validity and Reliability.** Test security is of the utmost importance. School districts will employ the same security measures in protecting statewide assessment materials from compromise as they use to safeguard other formal assessments.

**c.** Any assessment used for federal reporting shall be independently reviewed for reliability, validity, and alignment with the Idaho Achievement Standards.

# **Summary of External Review: Idaho Standards Achievement Tests (ISAT)**

**May 2005**

**Based upon research conducted by the  
Human Resources Research Organization  
Alexandria, VA**

## **Overview**

In May 2004, the Idaho State Board of Education released a Request for Proposals (RFP) for an external review of the Idaho Standards Achievement Tests (ISAT). The purpose of this review was to ensure that the ISAT was meeting the criteria of the federal law as well as the rigor necessary for implementing a state exit exam.

All states are required to ensure the assessments used to meet the requirements of the “No Child Left Behind” Act are “aligned with the State’s challenging academic content and student academic achievement standards” and “be used for purposes for which such assessments are valid and reliable, and be consistent with relevant, nationally recognized professional and technical standards” (Public Law 107-110, §1111.c.3.c.ii-iii).

In September 2004, the Human Resources Research Organization (HumRRO), based in Alexandria, Virginia, was selected through a competitive bid process and began work on the external review of the ISAT. The RFP specified that HumRRO would review content validity, curriculum validity and instructional validity, reliability, and conduct an alignment study. Some of the reports were a review of the existing evidence from the state assessment contractor, Northwest Evaluation Association (NWEA), and the state. Other reports were a collection of original evidence or an independent analysis of the data. HumRRO completed the work in phases and delivered all final reports to the Office of the State Board of Education.



## Contracted Studies

### I. ISAT Reliability

Report: Idaho Standards Achievement Test: Independent Calculations of Reliability Estimates, Standard Errors of Measurement, Classification Accuracy, and Classification Consistency

- A. Existing NWEA documentation
- B. Original calculation of test reliability statistics

### II. Content Validity

- A. Existing NWEA documentation

Report: Idaho Standards Achievement Test: Review of Northwest Evaluation Association Content Validity Documentation, Task 3.0.1

- B. Collection of original evidence

Report: Idaho Standards Achievement Test: Review of Evidence of Content Validity, Task 3.0.2

### III. Curriculum Validity and Instructional Validity

- A. Existing NWEA documentation

Report: Idaho Standards Achievement Test: Review of Northwest Evaluation Association Curriculum Validity and Instructional Validity Documentation, Task 3.0.4.1

- B. Collection of original evidence

- 1. Self-study of school districts

Report: Idaho Standards Achievement Test: District Self-Study (DSS) Findings Regarding Curricular and Instructional Validity, Task 3.0.4.2

Report: Idaho District Self-Study (DSS): Executive Summaries, Task 3.0.4.2

2. On-site visitations of selected school districts

Report: Idaho Standards Achievement Test: Curriculum Validity and Instructional Validity Study Results from On-Site Visits to Six Idaho Public School Districts, Task 3.0.4.2

#### IV. ISAT Alignment with Idaho Content Standards

Report: Idaho Standards Achievement Test (ISAT): Test Alignment Study, Task 3.1

- A. Existing NWEA documentation
- B. Collection of original evidence

#### V. ISAT Mapping

Report: Idaho Standards Achievement Test: Item Mapping for the 2004 Idaho Standards Achievement Tests

## Terminology

**Content Standards** – In Idaho, Content Standards are referred to as the Idaho Achievement Standards. They can be found in State Board rule, Idaho Administrative Procedures Act (IDAPA), Rules Governing Thoroughness, Section 200 at: <http://www2.state.id.us/adm/adminrules/rules/idapa08/0203.pdf>. Content Standards define what students in Idaho are expected to know and be able to do by subject and by grade. Standards are required as part of the “No Child Left Behind” Act.

*Example: A student in 8<sup>th</sup> grade math should be able to “Perform computations accurately.” More specifically, the standards are divided into Content, Knowledge and Skills that further delineate the skill: “Consistently and accurately add, subtract, multiply, and divide rational numbers.”*

**Blueprint** -- The blueprint is built from the state Content Standards. This document specifies the particular content that will be included on the statewide assessment. In addition, it defines the type of items to be used and the distribution of items across the various instructional strands within the Content Standards. In each grade there are some standards that do not lend to an evaluation in a multiple-choice format; however, these standards are still important and should be taught in the classroom. Classroom instruction for all of the standards is essential for students to achieve desired results on the Idaho Standards Achievement Tests (ISAT), because many of the tested standards assume knowledge of the skills not on the test. The current science blueprint is at: [http://www.boardofed.idaho.gov/saa/documents/ISAT\\_ScienceBlueprint.pdf](http://www.boardofed.idaho.gov/saa/documents/ISAT_ScienceBlueprint.pdf).

A test blueprint usually specifies the extent of content within the tests, the range of difficulty for test items, and the structure of the test.

*Example: In 5th grade, the science test will include items that test a student’s knowledge “that a system is an organized group of related objects that form a whole.”*

**Reporting Goals** – NWEA’s test structure includes six to seven “goal areas” for each test. These goal areas group the state Content Standards. Each goal has from 6-8 questions on the content area under the goal.

*Example: A reporting goal for math is “Measurement.” A reporting goal for reading is “Word Analysis.”*

**Achievement Levels** – Idaho has four achievement levels: advanced, proficient, basic and below basic. Each of these levels defines the level of performance of an individual student based on the test scores. A label of proficient means that a student has mastered skills that allows him/her to function at his/her specific grade level. For a description of all achievement levels see: <http://www.sde.state.id.us/admin/docs/isat/proficiency-levels-definitions.htm>.

**Validity** – Test validity refers to the sufficiency of evidence that supports proper interpretations of a student’s test scores. This is a multi-dimensional concept that cannot be determined in a Yes-No fashion.

- **Content validity** refers to whether or not each test question adequately measures specific parts of the Idaho Content Standards.
- **Curriculum validity** is established when the districts and schools adopt and use texts, workbooks, and other materials that are aligned with the state Content Standards.
- **Instructional validity** means that the classroom teachers are actually teaching the state Content Standards.

**Reliability** – A measure is reliable if it can provide consistent results over time. A measure can be reliable but not valid.

*Example: Persons trained to read and score student essays may produce reliable (i.e., consistent) scores, but, if they were inadequately trained, they may be applying the wrong scoring rubrics, thus producing invalid scores.*

**Alignment** – refers to the relative match in depth and breadth of content between the test questions and the Content Standards.

**Mapping** – A process used to determine the achievement level of each ISAT question. Mapping assists in determining if questions measuring a particular Content Standard are equally represented across the achievement levels.

*Example: Mapping measures whether there are questions about “measurement” in the basic, below basic, proficient and advanced categories and if they are evenly distributed.*

## ISAT Reliability

The Question: Are the ISAT assessment tests reliable?

The Importance of the Matter: Statewide assessment tests must be reliable, producing information that is dependable. NCLB language requires documentation of test reliability, as do professional standards in the measurement field. If test scores are unreliable, valid interpretations about student achievements are unattainable.

Methodology of Research: The ISAT contractor, NWEA, routinely collects information about test reliability. This information was reviewed but, in addition, HumRRO conducted its own calculations using a variety of methods. Reliability coefficients were prepared as well as calculations of the standard error of measurement, classification accuracy, and classification consistency. The latter two were needed because the test results are used to classify students into proficiency levels. Such classifications should be precise and replicable.

Calculations were made on the core tests, the blended tests, and on the subscore-reporting units called “Reporting Goals.”

Synopsis of Findings: Reliability is determined on a scale from 0 to 1. A measure is considered more reliable the closer it gets to 1. The HumRRO results are similar to those obtained by NWEA. The overall test reliabilities were all above 0.80 and most were around 0.86. The total test standard error of measurement was about 3 points. For the subtests (e.g., Number Sense or Literal Comprehension) where there are fewer test items, the reliability decreases substantially to about 0.50 and the standard errors of measurement increase to about 6-7 points. In other words, the total test score is the most stable and the subtest scores are less stable. These values are typical for statewide assessment tests.

Standard errors of measurement also were calculated using Rasch Item Response Theory methods wherein a standard error of measurement is calculated for each test item rather than for the overall test. The NWEA and HumRRO results are almost identical.

Accuracy addresses the matter of whether the test score accurately classifies a student, just as one might look at a thermometer and consider whether or not the indicated temperature is “accurate.” The accuracy indices were in the 0.75 – 0.85 range, with the blended test yielding higher values.

Consistency describes the likelihood that the student would have attained the same proficiency classification on a second administration of a parallel form of the test. The results showed that the consistency indices were in the range of 0.65 – 0.79 with the blended test yielding higher values.

For both accuracy and consistency, if the analyses consider only the Proficiency/Not Proficient dichotomy, the accuracy and consistency values increase to the 0.88 – 0.95 range.

Implications for Future Direction: The values obtained in these analyses are typical. The easiest way to increase reliability is to increase the number of items on the tests and subtests. For example, increasing subtests from 6 items to 10 items would increase the reliability of the subscore. Similarly, increasing the overall length of the tests would increase overall reliability.

Reliability should be monitored with each administration of the ISAT and adjustments made in the test structure when necessary.

In its score interpretation guides, the State should reinforce the psychometric principle that the most reliable scores at the individual student level are those derived from the total test, and the subgoal reports are only “advisory.” On the other hand, when aggregating data across students into school and district units, the subgoal reports can be considered to be more reliable.

Report: [Idaho Standards Achievement Test: Independent Calculations of Reliability Estimates, Standard Errors of Measurement, Classification Accuracy, and Classification Consistency](#)

## ISAT Content Validity

The Question: Do the ISAT assessment tests have content validity?

The Importance of the Matter: Statewide assessment tests must be valid and measure what they are intended to measure. Content validity is not an either-or determination but is, instead, a matter of degree and sufficiency of documentation. Content validity is directly tied to the purposes of the tests.

Methodology of Research: This study had three components: (1) review existing content validity documentation; (2) collect additional documentation as needed; and (3) review mapping of items to Content Standards. Documents were obtained primarily from NWEA but also from the Department of Education and the State Board of Education. All reviews were conducted by HumRRO staff.

In addition, an original item mapping classification study was conducted to determine how well the on-grade level items plus the adaptive items represented the continuum of the four achievement levels (advanced, proficient, basic and below basic) and the distribution of items across the Reporting Goals.

Synopsis of Findings: The available NWEA-provided documentation supports the content validity of ISAT; however, there are gaps in the documentation and inconsistencies were identified. The test blueprint is not in exact concordance with the adopted Content Standards, and the weighting of the items across Standards is unclear. Other issues were identified: there are no item specifications to guide the work of item writers, and it was not clear how many items were attributable to Idaho writers; the content discussions during test item writing sessions were not adequately documented; field testing of new items can occur outside of Idaho and a few items on the test had poor statistical properties.

NWEA initially created the ISAT from the assessment structure that was available at the time. The end result is that the test results are displayed in terms of “Reporting Goals” which are not necessarily synonymous with the Idaho Content Standards. This confuses interpretation of test results.

The mapping study revealed that the items are performing reasonably and measuring students across the four levels of achievement and across the “Reporting Goals.” The on-grade level and adaptive portions of the test are functioning as intended by NWEA.

Specifications for quality assurance were not available.

Implications for Future Direction: Content validity can be strengthened through better alignment of the test blueprint and the Content Standards, creation of specific item specifications, and better documentation of future item writing, reviewing, and selection processes. Proper field testing of new items and the consistent use of statistical analyses in evaluating item and test quality should

be required. Items should always be properly distributed across the achievement levels and the Content Standards.

These changes can and should be implemented immediately and reflected in all future item development operations. Quality assurance steps should be specified for all steps in the test development, scoring, and reporting stages.

Additional resources will be needed to address these concerns.

[Report: Idaho Standards Achievement Test: Review of Northwest Evaluation Association Content Validity Documentation, Task 3.0.1](#)

[Report: Idaho Standards Achievement Test: Review of Evidence of Content Validity, Task 3.0.2](#)



## **ISAT Curriculum and Instructional Validity**

The Question: Do the ISAT assessment tests have curriculum and instructional validity?

The Importance of the Matter: Idaho law as well as the “No Child Left Behind” Act of 2001 require states to adopt challenging content expectations and then determine the degree to which the expectations are being met. To achieve this, the school curriculum must match the content expectations, and teachers are expected to teach the desired content. Maintaining the alignment of the curriculum and the instructional programs will provide students with the greatest opportunity to learn. In previous litigation about high school graduation tests, the courts have ruled that curriculum and instructional validity issues must be adequately addressed.

Methodology of Research: This study included three different components. (1) Evidence submitted by NWEA was reviewed. (2) Idaho school districts conducted a self-study. (3) Six districts were visited for an on-site review.

Synopsis of Findings: NWEA information did not directly address issues related to curriculum and instructional validity, as these are ordinarily not the responsibility of the test support contractor. Instead, they are the responsibility of local school districts, the State Department of Education, and the State Board of Education.

All school district superintendents were asked to respond to a 30-item written survey soliciting information about curriculum and instructional activities supporting the Idaho content expectations. Ninety-seven percent of the superintendents responded to the survey, but thirteen percent did not prepare an executive summary as requested. The quality of the responses varied.

Superintendents reported that students and parents had been informed about the assessment program, including the high school graduation requirements. Districts apparently have aligned their curriculum with the content expectations, but it is not clear that individual schools are being monitored in this regard. Superintendents asserted that their teachers were teaching the content expectations and that student remediation opportunities were being provided. The superintendents indicated that the ISAT data were being used.

On-site visits were conducted in 10 schools across six districts. Results were varied, with the larger districts seemingly better prepared to assist schools align the curriculum and instruction to the Idaho Content Standards. Smaller districts lacked the human resources to provide a sufficient level of services. Some districts depend upon the state-adopted texts to address the content expectations whereas larger districts have tailored their own curriculum guides. Some educators were concerned that the Idaho Content Standards were not always being taught. According to the report, more professional development is needed. Remedial activities varied, with more rural locations having the most difficulty providing adequate services.

### Implications for Future Direction:

Although based on self-reports, it is reassuring that the survey of superintendents and the on-site visits revealed an awareness of the responsibilities educators have with regard to curriculum and instructional validity. However, there are inconsistencies across the State in the degree to which schools can be said to be effectively providing students with the opportunity to learn the Idaho Content Standards. This is an on-going task because new students are enrolled throughout the year, and they (and their parents) must be provided with information about content expectations. Likewise, new teachers and principals are hired each year, and they must learn how to emphasize providing students the opportunity to learn.

The State should seek ways to continuously inform the various publics about the educational expectations and the manner in which the ISAT can facilitate good instruction. Efforts should be undertaken periodically to verify that schools and districts understand the importance of curriculum and instructional validity and that they are actively strengthening students' opportunity to learn.

Report: [Idaho Standards Achievement Test: Review of Northwest Evaluation Association Curriculum Validity and Instructional Validity Documentation, Task 3.0.4.1](#)

Report: [Idaho Standards Achievement Test: District Self-Study \(DSS\) Findings Regarding Curricular and Instructional Validity, Task 3.0.4.2](#)

Report: [Idaho District Self-Study \(DSS\): Executive Summaries, Task 3.0.4.2](#)

Report: [Idaho Standards Achievement Test: Curriculum Validity and Instructional Validity Study Results from On-Site Visits to Six Idaho Public School Districts, Task 3.0.4.2](#)

## ISAT Alignment with Idaho Content Standards

The Question: Are the ISAT assessment tests aligned with Idaho Content Standards?

The Importance of the Matter: The “No Child Left Behind” Act of 2001 as well as standard psychometric practice demands that an assessment test measure that which it is intended to measure.

Good alignment simply means that all of the test items match the state Content Standards well. A good match means that the test assesses the depth and breadth of the Content Standards. In other words, the questions have a range of difficulty levels and the test items measure a good range of specific knowledge and skills within the standards.

Methodology of Research: Some information about alignment was obtained from NWEA and has been reported in the discussion about content validity. Because of the importance of the matter, HumRRO was required to conduct an independent analysis of test alignment. HumRRO utilized the Webb alignment methodology and retained the services of Idaho educators to conduct the analyses. Other alignment methods exist, and they may have produced somewhat different results. However, these methods assume that the test is derived from the blueprint and the blueprint is derived from the standards. Since there is an issue with this relationship between the ISAT and the standards, it is highly likely that these other methods would have similar findings.

The alignment process used to analyze the ISAT was based on four measurements: categorical concurrence, depth of knowledge, range of knowledge, and balance of representation.

*Categorical Concurrence* is a basic measure of alignment between the Content Standards and test questions. Essentially, the percent reported in this category illustrates how many of the Content Standards were assessed by at least six test questions each.

*Depth of Knowledge (DOK)* measures the amount of cognitive complexity required by the test questions and by the standards separately. For example, if a part of the standard specifies that student should be able to simply recall basic knowledge, then the corresponding test item should be written to assess basic recall only. There are four levels of complexity ranging from recall to complex reasoning and thinking. Each specific content objective (or substandard) within a standard is assigned a DOK level and each test item is assigned a DOK level separately. Then, once the test item is matched to the particular standard, it is evaluated to ensure that the test item DOK level is either at or above the specific content objective. The methodology used (Webb, 1999) suggested that at least 50% of the items be at or above the matched knowledge, skill or ability's DOK.

*Range of Knowledge* can also be referred to as the “breadth” of how many of the objectives within the standards are covered by at least one test question. Another way of referring to range is how completely the test items cover the content in the Content Standards.

*Balance of Representation* takes the range of knowledge test one step further. This test analyzes the content objectives. For those objectives that are assessed, an approximately equal number of questions should be included in the test. The balance measure indicates whether the test questions really are distributed evenly across those objectives.

#### Synopsis of Findings:

As noted above, alignment using Webb's methodology is determined by four different measurements and therefore a single statement of "aligned" or "not aligned" is not possible. In other words, alignment is a matter of degree and does not provide a single yes or no answer. A test could be well aligned in some areas but not in other areas. The report highlighted several areas where the ISAT process can be improved and should be revised. For example, the reading blueprint has a category for vocabulary but there is not a specific Content Standard for vocabulary.

The study revealed that there are alignment issues that primarily stem from the lack of agreement between the Idaho Content Standards, the items obtained from NWEA, the "Reporting Goals" created by NWEA, and the test blueprints. These matters were reported in the section on "content validity."

The Idaho Math Content Standards have a large list of standards for this one subject area, which makes it difficult to fully assess the range of knowledge within those standards. The Language Arts/Communication Content Standards include five standards: reading, writing, speaking, viewing and listening. Thus, the ISAT for reading is built on just one standard, reading. The language usage test is built on just the writing standard. This small number of standards for a particular test means that it is more likely to have six items per standard (the categorical concurrence test), but that the balance of both the reading and the language usage test is not sufficient. If the reading and writing standards are viewed at the next level of granularity, it becomes evident that the tests are so focused on one or two of the sub-standards that the test does not do an adequate job of covering all the aspects in the standards.

In addition, the educators who participated in the study expressed concern about the wording of some of the Idaho Content Standards and that there were questions included in the test that were not directly related to a particular standard. For example, there were questions about the vocabulary word test items.

Implications for Future Direction: The alignment study confirmed weaknesses seen in the separate analysis of content validity. The problems stem from the use of the existing NWEA test structure, or blueprint, rather than the creation of an assessment made to specifically measure the Idaho Content Standards.

It is recommended that several actions be taken.

1. The Idaho Content Standards should be reviewed and possibly reorganized to solve the problems and inconsistencies that have been revealed. The review should seek balance across the content areas and creation of standards and skills that allow measurement of students across a wide range of proficiency.

2. The test blueprint should be reviewed and revised to reflect measurement of the reorganized Content Standards. If there is to be any content that is not routinely measured by the ISAT, this should be made explicit.
3. Test item specifications should be prepared to define how the Content Standards will be measured across the grade levels to address the lack of breadth in the ISAT.
4. Available items should be classified according to the content standard and grade level skill that they measure. Gaps in coverage should be noted and new items developed.
5. The use of “Reporting Goals” should cease and all reporting should be done in terms of the Idaho Content Standards.
6. The adaptive test structure and the use of “blended tests” should be reviewed in terms of the results of the HumRRO studies and the anticipated changes in items 1-5 above. Decisions must be made about the assessment structure and its capability to provide information needed by the State, by NCLB, and by classroom teachers.

[Report: Idaho Standards Achievement Test \(ISAT\): Test Alignment Study, Task 3.1](#)

## **ISAT Item Mapping**

The Question: Are the ISAT test items appropriately distributed over the content domains and range of difficulty?

The Importance of the Matter: The purpose of ISAT is to measure the content expectations adopted by the State Board of Education. Therefore, the test must be designed to report student knowledge and skills within various subscore categories representing the important groupings within the expectations. Moreover, the difficulty of the items must be appropriate to measure the full range of students who naturally vary considerably in knowledge and skill.

### Methodology of Research:

Item mapping is accomplished by inspecting each test question and matching it to Content Standards. The ISAT, however, is organized by NWEA Reporting Goals that are not necessarily consistent with the Idaho content expectations, thus complicating the analysis.

The item mapping study also matched each test item to the four achievement levels used to report students' skills (e.g., "Proficient"). The goal is to have a sufficient number of items distributed over each of the levels so student performance can be accurately classified.

The results of the mapping study are displayed as bar graphs showing the reporting categories each item measures and the achievement level at which the item measures student performance.

Because the ISAT consists of "on-grade level items" and "adaptive items," analyses were completed for both.

### Synopsis of Findings:

The study revealed that the test items are not always uniformly distributed across the four achievement levels (advanced, proficient, basic and below basic). Some of the tests included more items measuring in the lower two achievement levels while others concentrated items within the highest two levels.

In some cases, there were insufficient numbers of items measuring student performance at the "Advanced" level. The adaptive portion of the tests appear to be properly selecting items for students based on the estimation of their proficiency level as determined by the core items.

There appear to be some inconsistencies in the mapping of items to the Content Standards, as opposed to the NWEA "Reporting Goals." For example, a fourth grade goal of "reading technical information" was not measured at all. Two other goals at grade ten were not measured. There is no guiding principle for ISAT test blueprints that specifies the number of items per Idaho content standard that will guide formation of each test.

### Implications for Future Direction:

The ISAT item mapping can be improved by two basic changes: (1) Create improved test blueprints and item specifications and (2) Re-examine use of NWEA “Reporting Goals” to better concentrate on the measurement and reporting of Idaho content expectations.

Items should be properly matched to specific Content Standards and spread across the four achievement levels. Because determination of which students are “Proficient” is important for “No Child Left Behind” accountability, it may be preferable to have somewhat more items concentrated around the cut-score for this level for greater accuracy of classification. Steps should be undertaken at the test assembly stages to guarantee that each test item is selected to measure the specified content across the range of student performance.

[Report: Idaho Standards Achievement Test: Item Mapping for the 2004 Idaho Standards Achievement Tests](#)

## **Action Plan**

Based on the findings and recommendations from HumRRO, the Office of the State Board of Education developed an action plan and will present this plan to the State Board of Education at the June meeting.

The plan includes reorganizing the Content Standards in Language Arts/Communications and Math to provide a better outline for how the state assessment should be structured. Once the Content Standards are restructured, the test blueprint will be rewritten. The blueprint will be structured to include reporting areas directly related to the Content Standards. The spring 2006 tests will be built on the new blueprint.

In addition, the Board will discuss how to include more writing components in the language arts test.



<b><u>Action Plan Timeline</u></b>	
<b>Date</b>	<b>Action Item</b>
<i>May-05</i>	
	Present findings to Board members
	Present findings to SDE staff
	Send reports to Technical Advisory Committee for review
	Release reports publicly
	Technical Advisory Committee meeting to discuss reports
<i>Jun-05</i>	
	Begin standards review
	Sign contract with Dr. Norman Webb for review of standards and suggestions for changes
	Item writing sessions (reading, language usage, math and science)
<i>Jul-05</i>	
	Review communications/language arts (reading and language usage) standards, reorganize and amend (SDE content specialists)
<i>Aug-05</i>	
	Review of communications/language arts (reading and language usage) standards changes, small groups of teachers, curriculum specialists
	Review science and math standards, reorganize and amend (SDE content specialists)
<i>Sep-05</i>	
	Construct communications/language arts (reading and language usage) test blueprints
	Review of science and math standards changes, small groups of teachers, curriculum specialists
	Begin writing item specifications (reading, math, language usage, and science)
	U.S. Department of Education Peer Review of assessment system
<i>Oct-05</i>	
	Construct science and math test blueprints
	Set achievement standards (cut scores) for grades 2-9
	First reading of temporary and proposed rulemaking of revised standards to Board
<i>Nov-05</i>	
	Item selection for spring 2006 tests (reading, math, language usage and science)
<i>Dec-05</i>	
	NWEA test production
<i>Jan-06</i>	
	NWEA test production
	SDE content specialists review of spring 2006 tests
	Sensitivity (bias) review of spring 2006 tests
	Write grade level and subject specific achievement standards (advanced, proficient, basic, below basic)
<i>Feb-06</i>	
	NWEA test production
<i>Mar-06</i>	
	Further work on item specifications in reading, math, language usage, and science
<i>Apr-06</i>	
	ISAT Window Opens
<i>May-06</i>	
	ISAT testing continues

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**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
**JUNE 16-17, 2005**

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**SUBJECT**

Report on Federal Funds for FY05

**APPLICABLE STATUTE, RULE, OR POLICY**

N/A

**BACKGROUND**

As the State Education Agency (SEA) for Idaho, the Board has directed that funds from the No Child Left Behind Act (NCLB) come to the Board before distribution to the State Department of Education (SDE). Beginning in FY04, NCLB formula grants have flowed through the Board. The Board has identified certain grant programs to be administered by the Board office and others to be administered by SDE.

**DISCUSSION**

There are other NCLB funds that continue to go directly to the SDE, among them several discretionary grants: Charter schools, character education, and community technology centers (not all of these are current, but some funds are still available for grant purposes). SDE receives directly other formula grants from the U.S. Department of Education (USDE), specifically Adult Basic Education and Special Education.

SDE receives directly and administers funds from other federal agencies that further the cause of education. Those federal agencies include the Department of Agriculture, Department of Health and Human Services, Department of Transportation, Department of Interior, Department of Justice, Department of Veterans Affairs, and the Corporation for National Service.

The State Board is also the Board for Professional Technical Education. That agency receives funds from USDE through its own identification number. The FY05 amount of the Vocational Education State Grant is \$6,902,934.

Other State Board agencies, which have their own boards, also directly receive federal funds. These agencies include Vocational Rehabilitation, State Library, State Historical Society, and Public Broadcasting.

The attached document provides an overview of the federal funds that were distributed to the State Board as the SEA and the discretionary grants that were sent to the SDE, other agencies, and local districts for FY05.

**IMPACT**

N/A

**STAFF COMMENTS AND RECOMMENDATIONS**

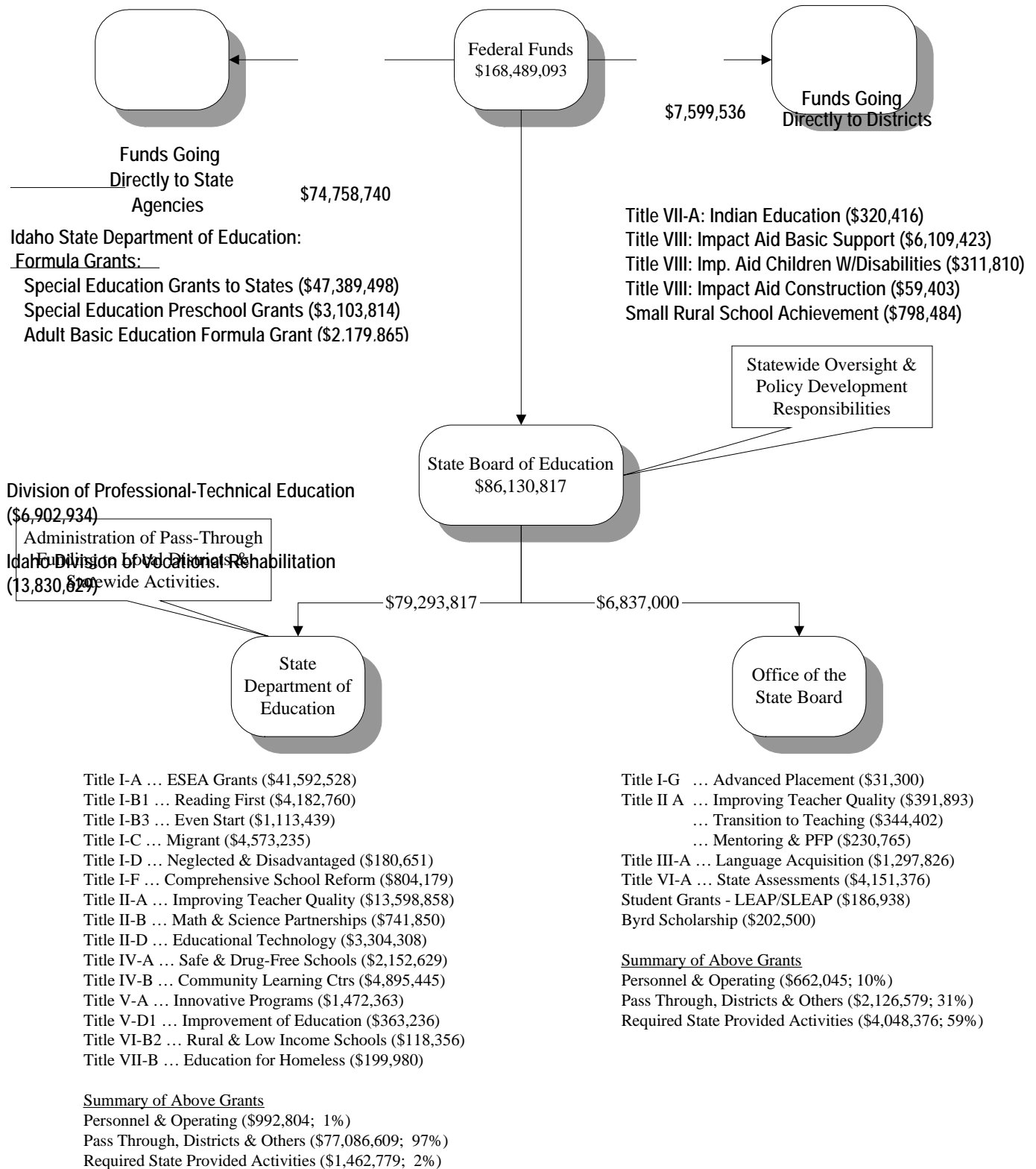
N/A

**BOARD ACTION**

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

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**Office of the State Board of Education (OSBE)  
Federal Funds Received From the USDE  
Fiscal Year 2005**



*Of the federal funds overseen by the State Board of Education acting as the State Education Agency (SEA) that are detailed in the lower portion of the page, the State Department of Education (SDE) receives approximately 92% and passes a majority through to school districts. OSBE receives the remaining 8% of the monies. More than 30% of the OSBE federal money is passed through to students, school districts or colleges and universities.*

*Numbers reflect grant awards for state fiscal years 2004 and do not include carryover from previous years.*

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**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
**JUNE 16-17, 2005**

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**SUBJECT**

Title IIA Improving Teacher Quality State Activities Fund: Report for 2003-2004, summary of 2004-2005 activities, and approval of recommended 2005-2006 activities.

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-110, Idaho Code

**BACKGROUND**

As the state education agency (SEA) for federal funds, the State Board of Education is responsible for receiving federal grants and facilitating their distribution. Title IIA formula funds are available to the state for a twenty-seven month period, and a new allocation is received annually. For a few months every year there are three grants available at the same time.

Title IIA funds are distributed in three primary ways: 1) administration funds equal to 1% of the total award; 2) 95% of the remaining portion is distributed by formula to local education agencies (LEA) and; 3) the remaining 5% is divided into two equal parts, one for state activities administered by the State Department of Education (SDE) and the other for competitive grants by the State Agency for Higher Education (SAHE) to state institutions for use in professional development for teachers in high need school districts (greater than 20% poverty). The SDE manages funds that are allocated to LEAs and the state activities portion; OSBE oversees the SAHE portion.

**DISCUSSION**

Each year the Board reviews reports from previous years and approves planned state activities for the next fiscal year. Attached are four documents:

- 1) an OSBE staff summary of the SDE report on the use of 2003-2004 state activity funds (Tab 4, Page 3);
- 2) a list of 2004-2005 projects that were approved at the June 2004 Board meeting. The final report will be submitted in November 2005 to allow sufficient time to complete and analyze summer activities (Tab 4, Page 7);
- 3) a summary of projects recommended by SDE for 2005-2006 (Tab 4, Page 8);
- 4) a copy of the complete SDE 2005-2006 recommendations. Board staff reviewed the recommendations and provided comments to better address identified needs and to reflect the purposes and definitions described in federal law (Tab 4, Page 9).

**IMPACT**

Continued operation of federal programs as the Board designated them for FY05 with improved compliance with the requirements of No Child Left Behind.

**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
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**STAFF COMMENTS AND RECOMMENDATIONS**

SDE's recommendations for the use of 2005-2006 state activity funds contain fewer but higher quality projects. The proposed projects are supported by references to scientifically based research, they meet the intended purposes as identified in the No Child Left Behind Act, and each activity meets the definition of high quality professional development as required by the law. Since no other recommendations have come forward, staff recommends approval for SDE to administer the Title IIA State Activities funds for the coming year in accordance with the SDE recommended plan.

**BOARD ACTION**

A motion to accept the Title IIA Improving Teacher Quality state activities reports and approve funds for 2005-2006 as recommended by the SDE to be administered by SDE.

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



**2003-2004 FINAL REPORT—STATE ACTIVITIES  
TEACHER QUALITY PROJECTS: TITLE IIA  
STATE DEPARTMENT OF EDUCATION  
TOTAL \$335,421**

Project	Title IIA State Activity Funds	Summary/Outcomes	OSBE Comments
▪ Idaho Mathematics Academy	\$128,640	1 week conference; total budget \$155,480; 124 math teachers (grades 5-8) attended*	Follow up on teacher/student correlation after winter DMA and spring ISAT scores summer 2005.
▪ Idaho Standards Teacher Education Project (ISTEP)-Elementary	20,000	1 week summer seminar for 18 teachers in grades K-6; participants prepared to present at Math Leaders Conference.* Provided instructor, participant materials and facility costs. (See ICTM for participant scholarships.)	Follow up on teacher/student correlation after winter DMA and spring ISAT scores summer 2005.
▪ Idaho Arts Education Institute	10,000	1 week summer workshop for 55 elementary teachers and administrators; Title II funds outside evaluation, keynote speakers and instructors; <u>continuation dependent on continued NEA grant.**</u>	Outside evaluation reviewed by OSBE staff.
▪ End of Course Assessments	15,000	Teachers from around the state wrote courses of study in high school band, orchestra and choir and for Language Arts and Mathematics for grades 5-8; end of course assessments were also developed; each session cost approximately \$1500; developed materials are posted on the SDE web site for use by teachers across the state	
▪ Education/Business Partnerships in Mathematics and Science	105,000	\$32,000 for Surveys of Enacted Curriculum: research based tools to collect, report, and use data about what is taught and how it is taught—used to better align classroom instruction with math standards. \$25,000 for an outside evaluation of 4 Mathematics and Science Partnership grants (Title II B).** \$48,000 for partnering with IPTE and school districts to pilot a program of work-based mathematics, science, and technology courses for 2005-2006 school year.	Follow-up on outside evaluation.  Final workshop for participating teachers in June 2005
▪ Idaho Science Teachers Association Scholarships	\$3,100	9 teachers of science in Idaho received an average of \$350 per scholarship to attend workshops at various locations	Follow-up to see if this activity meets the definition of high quality professional development.

**2003-2004 FINAL REPORT—STATE ACTIVITIES  
TEACHER QUALITY PROJECTS: TITLE IIA  
STATE DEPARTMENT OF EDUCATION  
TOTAL \$335,421**

<b>Project</b>	<b>Title IIA State Activity Funds</b>	<b>Summary/Outcomes</b>	<b>OSBE Comments</b>
▪ Idaho Council of Teachers of Mathematics (ICTM)	5,000	15 teachers received \$200 each to attend the ISTEP project (see above) seminar, and 40 received \$50 each to attend the ICTM workshop	Attendance at ISTEP is follow up to previous professional development. ICTM: Follow-up to see if this activity meets the definition of high quality professional development
▪ Idaho Council of Teachers of Mathematics Leadership Conference	5,000	Costs included instructor, participant, materials, and facility costs; total budget \$7500	Follow-up to see if this activity meets the definition of high quality professional development
▪ Idaho Environmental Education Association Scholarships	3,000	\$1000 to support Environmental Education Summit: 2 plenary training sessions and 12 workshops (March 4-5, 2005) \$1000 for scholarships to above event \$1000 for follow up activity for eight teacher teams previously trained as part of "Environment as an Integrating Context for Learning Demonstration School Network-44 participants	Follow-up to see if this activity meets the definition of high quality professional development
▪ Idaho Humanities Council Teacher Workshops	5,000	1 week seminar with advanced reading and preparation; about 30 teachers (\$150 stipends); developed lesson plans for classroom use	
▪ Project Learning Tree	5,000	Facilitator support for 15 hour workshop for 350 teachers. Science and across multiple disciplines. Credit approved at Idaho institutes of higher education.	
▪ Idaho Academic Decathlon Professional Development	5,000	Workshops for teachers involved with the decathlon to improve participation quality, levels, and numbers	Follow-up to see if this activity meets the definition of high quality professional development
▪ Recognition for Outstanding Teachers	\$1500	Provides support for winner of Outstanding Biology Teacher for Idaho; allows travel to National Association of Biology Teachers annual convention where recipients from all 50 states are recognized.	

**2003-2004 FINAL REPORT—STATE ACTIVITIES  
TEACHER QUALITY PROJECTS: TITLE IIA  
STATE DEPARTMENT OF EDUCATION  
TOTAL \$335,421**

<b>Project</b>	<b>Title IIA State Activity Funds</b>	<b>Summary/Outcomes</b>	<b>OSBE Comments</b>
<ul style="list-style-type: none"> <li>Recognition for Contributing Teachers—Range Finders</li> </ul>	2000	38 math teachers and 37 language arts teachers participated in identifying anchor papers for advanced, proficient, basic, and below basic examples to be used in training and scoring Direct Math Assessments and Direct Writing Assessments; funds covered costs of instructor; participant, materials, and facility.*	Maintenance of DMA and DWA: assessments are required components of state assessment system. (IDAPA 08.02.03, Rules Governing Thoroughness) Follow up on student/teacher correlation when winter DMA and spring ISAT scores summer 2005.
<ul style="list-style-type: none"> <li>Recognition for Contributing Teachers—Steering Committee</li> </ul>	4000	18 math teachers and 23 language arts teachers participated in three day workshops where the results contribute to the development of DMA and DWA process components and increase the validity and reliability of the assessments. Other funds are also used to cover costs of instructor, participant, materials, and facilities. Stipends of \$200 are paid.*	Maintenance of DMA and DWA: assessments are required components of state assessment system. (IDAPA 08.02.03, Rules Governing Thoroughness) Follow up on student/teacher correlation when winter DMA and spring ISAT scores summer 2005.
<ul style="list-style-type: none"> <li>Idaho Reaches Into Space Teacher Workshops</li> </ul>	\$3181	Provide teachers the resources and confidence needed to organize units of instruction that build on the excitement of the mission of Idaho's Teacher in Space mission and highlight the importance of science and mathematics. 123 participants; 106 wanted graduate credit, 62 of whom chose the 2-credit option. Participants evaluated the program at 4.78 on a scale of 5.	
<ul style="list-style-type: none"> <li>National Academic Decathlon</li> </ul>	10,000	Idaho hosted the national competition in Boise. Funds supported the event and on-going teacher training and staff development needs of the program.	

**2003-2004 FINAL REPORT—STATE ACTIVITIES  
TEACHER QUALITY PROJECTS: TITLE IIA  
STATE DEPARTMENT OF EDUCATION  
TOTAL \$335,421**

Project	Title IIA State Activity Funds	Summary/Outcomes	OSBE Comments
<ul style="list-style-type: none"> <li>▪ Idaho Standards teacher Education Project-High School</li> </ul>	5,000	Weeklong summer seminar for mathematics teachers in grades 7-12 with goal to increase geometry/measurement content and pedagogy knowledge to increase student achievement. Total cost of project \$25,000.*	Pre- and post- assessments indicate an average gain of 31.6% in scores.

\*Extent of teacher/student correlations to be analyzed when winter DMA and spring ISAT scores during summer 2005.

\*\*Outside evaluation; follow up.

**2004-2005 State Board Approved Activities**  
**Teacher Quality - Title II-A, ESEA, State Activities Programs**

**Final report due November 2005**

**Total \$345,000**

<b>Professional Development for Teachers and Principals</b>	<b>\$250,000</b>
Idaho Mathematics Academy	
Idaho Standards Teacher Education Project (ISTEP)	
Arts Education Institute	
Education/Business Partnerships in Mathematics and Science	
Surveys of Enacted Curriculum	
<b>Leadership Development</b>	<b>\$45,000</b>
Idaho Science Teachers Association	
Idaho Council of Teachers of Mathematics	
Idaho Environmental Education Association	
Idaho Humanities Council	
Idaho Academic Decathlon	
<b>Teacher Retention and Recognition</b>	<b>\$50,000</b>
Professional Recognition for Outstanding Teachers	
Professional Development Recognition for Contributing Teachers	
DMA & DWA Range Finders (course credit)	
DMA & DWA Steering Committee Workshops (course credit)	
DMA & DWA Scoring (course credit)	
<b>TOTAL</b>	<b>\$345,000</b>

**2005-2006 Summary of Activities Recommended by SDE  
Teacher Quality - Title II-A, ESEA, State Activities Programs**

**Final report due November 2006**

**Total \$346,000**

<b>Creation of a Leadership Academy for middle school principals</b>	<b>\$125,000</b>
<b>Continuation of the Idaho Math Academy</b>	<b>\$125,000</b>
<b>Partnerships for Project-Based Learning (PBL)</b>	<b>\$90,000</b>
<b>DMA and DWA Instructional Improvement Opportunities</b>	<b>\$2,000</b>
<b>DMA and DWA Revision and Resources</b>	<b>\$4,000</b>
<b>TOTAL</b>	<b>\$346,000</b>

**State Activities for 2005-2006 Title II, Part A**

**Leadership and Professional Development  
For Idaho's Principals and Teachers**

**State Department of Education Recommendations**

**Final Report due November 2006**

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No Child Left Behind (NCLB) is asking for systems change. It has advanced both action and discussion on a number of fronts. What is a highly qualified teacher? What does accountability mean and how can it be measured? Is it the plan, the materials, or the process that causes students to learn? What roles do the policy makers, the administrators, and the teaching staff hold and how equipped are each for their responsibilities? How should punishments, sanctions, professional development, mentoring, and rewards be integrated as the system is changed?

What is the unspoken component of all of these expectations and requirements? The answer is highly qualified leadership and focused professional development. Just as an effective principal is not all that is required for an effective school, it is very difficult to have a good school without a good principal. It is impossible without skilled and responsible leadership in every classroom.

**What has the Idaho State Department of Education (SDE) done to support leadership for NCLB?**

Through money appropriated by the state legislature in 2001 and 2002, followed by grants from the J. A. and Kathryn Albertson Foundation in 2003 and 2004, the SDE was able to follow its six-year plan for systems change. It began with districts' central offices organizing for change. Then curriculum directors and teachers engaged in the integration of standards into daily lessons followed by assessments. After that came two years of focus on data driven decision-making. At the same time, the SDE was supporting the Foundation as it worked to build a statewide data collection and analytic solution. The culminating effect of these efforts is the step that lies ahead.

Once policies, standards, and assessments are in place, the critical focus must be on differentiated standards-based instruction in the classrooms and targeted monitoring of instructional practices and student outcomes.

**Distributed leadership** is the model now being advanced by the SDE. This model builds on the systemic approach districts have used for four years to implement standards and

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examine data. It takes the next step by carrying leadership activities down to the classroom level.

The SDE will be combining the efforts undertaken by separate programs into one leadership model. The combination will include the matching elements of Results Based Decision Making from Special Education and Peer Coaching and Calibration Visits from the Reading First grants. These efforts provide the specificity that build mentoring, differentiated instruction, and professional staff development into the building and district plans for school improvement. The best of today's emerging models for leadership are included in the plan.

The fragmented approaches of the past – looking just at Special Education students (including Gifted and Talented), or just at English Language Learners – must give way to this integrated approach. These students spend the majority of their time in the regular classroom, and their learning needs must be nurtured there. The new leadership model will enable and demand that.

This becomes more complicated when we acknowledge it involves the following complexities:

- ✓ Changing instructional practice to accommodate the learning needs of each child based on knowledge of how that child learns.
- ✓ Changing instructional practice to provide differentiated approaches based on knowledge of each child's prior experience and achievement.
- ✓ Changing instructional practice based on an understanding of cultural and language-related situations.

Over all of these is the highly skilled level of evaluating the effect of such changes on student learning based on the quality of the practice.

The State Superintendent of Public Instruction has introduced the model to school superintendents at regional meetings around the state. An introduction for teaching staff is currently being shipped to schools as an article in News and Reports. The SDE is considering making this the topic of the summer standards institute to be held in August.

The SDE staff will receive prior training to be able to support this leadership model in all districts. Members of the Office of the State Board of Education staff have approached the SDE to see if they could be included on the teams that will lead these efforts.

Funding from Title II-A of NCLB for state activities provides support for high quality professional development for principals and teachers. It also provides a means of sustaining achievement by connecting principals and teachers with business, industry, and community resources throughout Idaho.



**Title II, Part A**

**Project: Creation of a Leadership Academy for middle school principals**

**Goal:** To provide professional development to middle school principals in two critical areas: performance-based observations and building comprehensive programs.

**Need**

Of the 71 schools that failed to make adequate yearly progress in 2004, 38 (54 percent) are middle or junior high schools.

**Research**

Instructional leadership has consistently been identified as a primary factor in outcomes for students. According to Waters, Marzano and McNulty (2003), a substantial relationship exists between leadership and student achievement. In fact they found that the average effect size of leadership on student achievement is .25. Their study was a meta-analysis that included over 70 studies and 2,994 schools.

While the Waters, Marzano and McNulty study may be the first to quantify the impact of instructional leadership, it has been a part of the “Beating Odds” literature for a long time. According to Samuels (1981), “One frequently finds a strong administrative leader associated with exemplary reading programs.” Other researchers (Fisher & Adler, 1999) have stated that “principal leadership is deemed to be critical for programmatic development.”

**Current Administrative Preparation**

Both the Highly Qualified Teacher and Student Achievement teams at the State Department of Education have identified school-level leadership as critical in terms of change. It is the belief of both teams that current administrative preparation programs do not include sufficient training in either curriculum or performance-based observation.

Over the past two years the State Department of Education (SDE) has provided two cohorts of administrators with extensive and ongoing training in both curriculum and performance-based observations. Funding for the project was through the Reading First grant. The thirty principals who have participated in Reading First over the past two years have stated that the professional development they received was the most valuable element of the program. Their increased knowledge has also impacted student achievement.

Student achievement data for the first cohort is now available. The average first grader scored second grade, first month, on the Iowa Test of Basic Skills; the average second grader scored second grade, ninth month; and the average third grader scored third grade, ninth month.

The Reading First program will continue its leadership training; however, the terms of the grant limit inclusion to administrators of primary grades (K-3).

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**Focus**

Idaho data identifies four high-risk groups: students with disabilities, English language learners, migrant students, and impoverished students. The Leadership Academy will target researched-based practices that increase achievement for *all students*. The academies will focus on instruction in reading and math. These subjects have been selected because 23 of the “needs improvement” schools were identified for reading, 14 for math, and 34 for both reading and math. Schools identified as “needs improvement” will be required to send administrators to the Leadership Academy as part of their school improvement plan.

A combination of SDE staff and master practitioners will facilitate the Leadership Academy.

**Evaluation**

The success of the Leadership Academy will be based on the improvement of student outcomes. Data will be collected on the number of schools no longer identified as “needs improvement” as well as the number of schools who come closer to meeting their AYP target.

**Cost**

The approximate budget for this project is \$125,000.

**Additional Support**

A Leadership Academy was identified as a primary need at the last meeting of the Title I Advisory Panel. The panel had heard of the professional development provided to Reading First schools and felt strongly that it should be replicated for other schools.

The Special Education section will be spending \$90,000 to offer Leadership and Coaching Institutes to Results Based Model sites that have been identified as not making adequate yearly progress in the area of reading among students with disabilities.

**Project: Continuation of the Idaho Math Academy**

**Goal:** To improve middle grade math instruction.

**History**

In 2002, a task force jointly appointed by the Office of the Governor and the State Department of Education identified a need to provide professional development to middle grade math teachers. This focus was based on results of the Idaho Math Assessment (IMA). In 2001, 55 percent of Idaho eighth graders did not receive a satisfactory rating on the IMA.

**Rationale**

In addition to the student achievement results on the Idaho Math Assessment, the task force recognized that middle-level math proficiency lays the foundation for later achievement in higher-level mathematics. Children learn addition, subtraction, multiplication, division, and other grade-level appropriate math concepts in grades K-4. Algebra, Geometry, Algebra II, and Senior Math/Calculus are well established in grades 9-12. However, many questions and concerns are raised nationally about appropriate content in the middle grades where students often lose interest in math.

**Strategy**

The Idaho Math Academy offers middle-grade math teachers strategies to make math instruction interesting and exciting. The Academy was held at the University of Idaho in 2003 and at Idaho State University in 2004. This year it will be held at Boise State University. By the end of the summer of 2005, three hundred teachers from across the state will have had the opportunity to learn from both master practitioners and higher education faculty.

The goal of the Idaho Math Academy is to create a comprehensive and sustainable professional development opportunity for teachers. It also provides opportunities for networking and follow-up activities.

**Cost**

The proposed budget for the Idaho Math Academy is \$125,000.

**Evaluation of the Program**

The success of the program is measured by growth in student achievement on both the Idaho State Achievement Test and the Idaho Math Assessment.

**Project: Partnerships for Project-Based Learning (PBL)**

**Goal One:** To increase the number of young adults who continue with post-secondary education and/or training within five years of high school completion.

**Goal Two:** To increase academic engagement by senior level students through a relevant and rigorous curriculum.

**Objective:** To increase the number of Idaho high school students participating in high-quality project-based learning.

**What is Project-Based Learning?**

Project-based learning is learning that emphasizes rigor and relevance in student efforts. The following *Six A's* apply to quality project-based learning:

Authenticity	Projects use the context of the workplace and the community to teach academic and technical skills.
Academic rigor	Projects require higher-order thinking skills and research methods from academic and technical fields.
Applied learning	Projects require students to use academic and technical knowledge in acquiring the problem-solving, communication and teamwork skills they will need in the workplace.
Active exploration	Projects extend beyond the classroom to involve work-based learning, community-based activities, and technical labs.
Adult relationships	Projects involve adult mentors from the school and the community.
Assessment	Projects include exhibitions and assessments of student work according to personal standards and performance standards set by the school and the community.

The *Six A's* apply to all projects, regardless of whether they originate inside or outside the classroom. Projects that originate from academic content can extend into the workplace, the community, and technical labs. Projects that originate from real life problems can connect back to academic and technical studies and let students practice using these vital skills.

**Strategy**

Increasing the number of students participating in project-based learning will require significant professional development and ongoing support for teachers and principals. It will also require the development of a state-level support structure that provides a means of connecting teachers with business, industry, and community resources. Designing high-quality projects that are relevant to students' lives involves several important, non-traditional teaching skills. Teachers need to know how to

- formulate essential questions that provide a starting point for students;
- identify teachers and community members who can relate the projects to real issues and problems;
- train students to work productively in small groups and on their own; and

- use journals and other “process checks” to help students make steady progress.

Through this project, teachers will receive intensive professional development that

- immerses them in projects;
- enables them to see firsthand the knowledge and skills that can be learned in real-world settings;
- helps them to analyze exemplary projects; and
- gives them the opportunity to engage in the first stages of project design.

During the school year, a PBL consultant will visit schools periodically to help teachers overcome challenges in implementing projects and to use assessment and other methods in teaching students the needed background knowledge and skills. The consultant will also help teachers create opportunities to showcase students’ work. After teachers have implemented projects successfully, the PBL consultant will help them determine how the changes affect their students and how they can gather evidence of the impact on student learning. Schools will work with the consultant to customize project-based learning for their needs. It is important to emphasize both “why” and “how” project-based learning works and to give teachers adequate support in changing how they teach. This support needs to include sustained professional development as well as the alignment of professional development with the school’s accountability measures for teaching and student learning.

### **Rationale**

When researchers ask students to share their “best quality” work, they see similar kinds of products and performances: a model rocket, a business plan for a school radio station, or a videotape of campaign ads for candidates in recent elections. Students take pride in producing or doing something that has value beyond the classroom. Such projects diverge from the typical school fare of absorbing and repeating bits of knowledge. Worksheets, chapter reviews, oral recitations, and tests certainly can reinforce student skills and knowledge. However, students can become passive and cynical if they are confronted with these teaching strategies hour after hour, day after day.

In addition to anecdotal data, there is evidence that the results of traditional classroom practices may not be good enough. Although teachers work hard to cover the curriculum, too few students are gaining a deep understanding of what they are learning. A surprising number of even the “best” students continue to harbor misconceptions about core scientific topics, such as gravity or seasonal changes — topics that are taught and retaught in school. Furthermore, most students have difficulty transferring what they learn within the disciplinary boundaries and classroom contexts of school to other disciplines and contexts. If the purpose of school is to teach students material that they can use later, one would want them to apply what they have learned across school subjects and, ultimately, in their everyday lives.

### **Research**

Dr. John W. Thomas conducted an extensive review of research on project-based education in 2000. The report includes the following summary of his findings.

- There is direct and indirect evidence, both from students and teachers, that PBL is a more popular method of instruction than traditional methods. Additionally, students and teachers both believe that PBL is beneficial and effective as an instructional method.
- Some studies of PBL report unintended and seemingly beneficial consequences associated with PBL experiences. Among these consequences are enhanced professionalism and collaboration on the part of teachers and increased attendance, self-reliance, and improved attitudes towards learning on the part of students.
- PBL seems to be equivalent or slightly better than other models of instruction for producing gains in general academic achievement and for developing lower-level cognitive skills in traditional subject matter areas.
- More important, there is some evidence that PBL, in comparison to other instructional methods, has value for enhancing the quality of student learning in subject matter areas, leading to the tentative claim that learning higher-level cognitive skills via PBL is associated with increased capability on the part of students for applying those learnings in novel, problem-solving contexts.
- There is ample evidence that PBL is an effective method for teaching students complex processes and procedures such as planning, communicating, problem solving, and decision making, although the studies that demonstrate these findings do not include comparison groups taught by competing methods.

**Cost**

The approximate budget for this project is \$90,000.

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**Project: Direct Math Assessment (DMA) and Direct Writing Assessment (DWA)**  
**Instructional Improvement Opportunities**

**Goal:** To improve student achievement in mathematics and language arts.

**Rationale**

The 2006 Direct Math Assessment (DMA) and Direct Writing Assessment (DWA) will include “Range Finders Meetings,” two-day workshops for math teachers of 4<sup>th</sup>, 6<sup>th</sup>, and 8<sup>th</sup> graders and for language arts teachers of 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> graders. Participants will identify “range finders” or anchor papers considered representative of student work at four levels: advanced, proficient, basic, and below basic. These papers will then be used to train teachers to score actual student papers.

The DMA and DWA scoring sessions are valuable professional development tools for the teacher-scorers. For example, the scorers of the DMA typically discuss demonstrated and observed student math problem-solving skills and strategies; whether students effectively apply (and communicate) mathematical processes; and whether student work aligns with Idaho’s mathematics achievement standards. Scorers of the DWA consider whether papers are responsive to the writing prompts; the extent to which student responses are aligned to Idaho’s language arts achievement standards; and whether student work shows the creative thinking and decision-making strategies emphasized in the language arts.

The teachers who participate in the scoring will return to their districts with new and practical information about what constitutes advanced, proficient, basic, and below basic student work in math and language arts. Thus, the Range Finder sessions yield three important results: improved validity and reliability of the standardized scoring process; development of curriculum and instructional strategies based on analyses of student work samples; and, ultimately, improved student math and language arts achievement.

Teachers are from all areas of Idaho and 108,000 students will be potentially affected.

**Cost**

\$2,000 coming from Title II-A for both DMA and DWA with additional funds coming from other sources. Budget addresses respective instructors, participants, materials, and facility costs.

**Evidence of success (anecdotal or otherwise)**

Documentation complete

**Evidence of improved student performance**

Although it is always hard to attribute student performance to one factor, we will look at the winter DMA and DWA scores to see if there are any outstanding teacher/student correlations.

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**Project: Direct Math Assessment (DMA) and Direct Writing Assessment (DWA)**  
**Revision and Resources**

**Goal:** To improve student math and language arts achievement by reviewing and revising the 2006 Direct Math Assessment and Direct Writing Assessment and providing updated materials to teachers throughout the state.

**Rationale**

Working with teachers from throughout the state, the State Department of Education periodically reviews and updates its two performance assessments: the Direct Math Assessment (DMA) and the Direct Writing Assessment (DWA). Part of that process involves preparation of a math “Toolkit” and a writing “Pencil Box” to ensure that every teacher has access to models of work samples deemed to constitute advanced, proficient, basic, and below basic student work. Teachers can incorporate that information into their own teaching strategies.

Steering committees for the 2006 DMA and DWA will convene three-day workshops for math teachers of 4<sup>th</sup>, 6<sup>th</sup>, and 8<sup>th</sup> graders and for language arts teachers of 5<sup>th</sup>, 7<sup>th</sup>, and 9<sup>th</sup> graders. The workshops will include discussion of previously field-tested items for the tests; the subsequent development of the 2005 DMA and DWA; potential items for inclusion in new field tests; and actual field-testing of the items with students in the fall.

For the DMA, teachers will be focused on student interpretation of items and their application; on how students communicate about mathematical processes and strategies; on creative thinking; and on decision-making and problem-solving as they relate to Idaho’s math achievement standards. For the DWA, teachers will focus on how students formulate, organize, and present their writing; on what the field test prompt yields in the way of writing approaches and skills; and on how students demonstrate proficiency as they communicate information.

All of this information will be used to develop components of the revised DMA and DWA. After the DMA and DWA are scored, pertinent information will be compiled and distributed to every school principal and district superintendent for use by teachers as they determine their instructional goals and strategies in math and language arts.

Teachers are from all areas of Idaho and 108,000 students will be potentially affected.

**Cost**

\$4,000 coming from Title II-A for both DMA and DWA with additional funds coming from other sources. Budget addresses respective instructors, participants, materials, and facility costs.

**Evidence of improved student performance**

Although it’s always hard to attribute student performance to one factor, we will look at the winter DMA and DWA scores to see if there are any outstanding teacher/student correlations.



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**REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY**

TITLE 33  
EDUCATION  
CHAPTER 1  
STATE BOARD OF EDUCATION

33-110. AGENCY TO NEGOTIATE, AND ACCEPT, FEDERAL ASSISTANCE. The state board is designated as the state educational agency which is authorized to negotiate, and contract with, the federal government, and to accept financial or other assistance from the federal government or any agency thereof, under such terms and conditions as may be prescribed by congressional enactment designed to further the cause of education.

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**SUBJECT**

Approval of Distribution of Federal Grant Funds for which the Board is the State Education Agency (SEA) FY06

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-110, Idaho Code

**BACKGROUND**

As the State Education Agency (SEA), the SBOE is responsible for receiving federal grants and facilitating their distribution. Funds are distributed to: the Office of the State Board of Education (OSBE), State Department of Education (SDE), and Local Education Agencies (LEA).

**DISCUSSION**

The fund amounts contained in this section represent federal fiscal year 2005 fund estimates that will initially become available for use during state fiscal year 2006.

**I. Federal funds allocated to SDE for distribution to local school districts**

All monies, including administrative funds, funds for state required activities, LEA pass through dollars, and OSBE expenditures are managed through OSBE accounts. Funds are electronically transferred by the federal government upon request by OBSE based on current expenditures.

TITLE	ESTIMATED FUND AMOUNT	% PASS THROUGH TO DISTRICTS	STATE ACTIVITIES REQUIRED
Title I-A Low Income	\$42,114,552	99	Y
Title I-B-1 Reading 1 <sup>st</sup>	4,019,926	80	Y
Title I-B-3 Even Start Family Literacy	1,014,181	94	Y
Title I-C Migrant Education	4,535,694	95	Y
Title I-D Neglected and Delinquent	212,128	100	N
Title I-F Comprehensive School Reform	689,541	95	Y
Title II-A Enhancing Teacher Quality*	13,530,631	95 of 99	Y
Title II-B Math/Science Partnerships	888,336	95	N
Title II-D Educational Technology	2,390,020	95	Y
Title IV-A Safe and Drug free Schools	2,135,030	93	Y
Title IV-B 21 <sup>st</sup> Century Community Learning Centers	4,856,279	95	Y
Title V-A Innovative Programs	985,056	85	Y
Title VI-B-2 Rural/Low Income Schools	120,326	95	N
Education for the Homeless	203,847	75	Y
<b>TOTAL</b>	<b>\$77,695,547</b>		

\*Detailed summary on Page 2

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**\*II. Detailed summary for Title IIA – State Department of Education**

<b>PASS THROUGH TO DISTRICTS</b>	<b>STATE ACTIVITIES</b>	<b>ADMINISTRATION</b>	<b>TOTAL</b>
\$13,068,445	\$343,906	\$118,280	\$13,530,631

**III. Federal funds administered directly by OSBE**

<b>TITLE</b>	<b>PASS THROUGH TO DISTRICTS or IHEs</b>	<b>ADMINISTRATION</b>	<b>TOTAL</b>
Title II-A Enhancing Teacher Quality (SAHE)	\$343,906	\$20,672	\$364,578
Title III-A English Language Acquisition	1,125,959	175,000	1,300,959
Title VI-A State Assessments	0	0	4,200,913
<b>TOTAL</b>			\$5,866,450

**IMPACT**

Authorizes expenditure of these funds to allow for the continued operation of federally funded programs.

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff recommends authorization of the grants for FY06.

**BOARD ACTION**

A motion to approve the distribution of the following federal grants by the State Education Agency to the State Department of Education for distribution to the Local Education Agencies:

<b>TITLE</b>	<b>ESTIMATED FUND AMOUNT</b>	<b>% PASS THROUGH TO DISTRICTS</b>	<b>STATE ACTIVITIES REQUIRED</b>
Title I-A Low Income	\$42,114,552	99	Y
Title I-B-1 Reading 1 <sup>st</sup>	4,019,926	80	Y
Title I-B-3 Even Start Family Literacy	1,014,181	94	Y
Title I-C Migrant Education	4,535,694	95	Y
Title I-D Neglected and Delinquent	212,128	100	N
Title I-F Comprehensive School Reform	689,541	95	Y
Title II-A Enhancing Teacher Quality*	13,530,631	95 of 99	Y
Title II-B Math/Science Partnerships	888,336	95	N

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Title II-D Educational Technology	2,390,020	95	Y
Title IV-A Safe and Drug free Schools	2,135,030	93	Y
Title IV-B 21 <sup>st</sup> Century Community Learning Centers	4,856,279	95	Y
Title V-A Innovative Programs	985,056	85	Y
Title VI-B-2 Rural/Low Income Schools	120,326	95	N
Education for the Homeless	203,847	75	Y
<b>TOTAL</b>	<b>\$77,695,547</b>		

A motion to also delegate authority to the State Department of Education to administer these funds in accordance with federal laws and regulations.

A motion to approve distribution of the following federal grants by the State Education Agency to higher education institutions and Local Education Agencies:

<b>TITLE</b>	<b>PASS THROUGH TO DISTRICTS or IHEs</b>	<b>ADMINISTRATION</b>	<b>TOTAL</b>
Title II-A Enhancing Teacher Quality (SAHE)	\$343,906	\$20,672	\$364,578
Title III-A English Language Acquisition	1,125,959	175,000	1,300,959
Title VI-A State Assessments	0	0	4,200,913
<b>TOTAL</b>			<b>\$5,866,450</b>

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

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**REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY**

TITLE 33  
EDUCATION  
CHAPTER 1  
STATE BOARD OF EDUCATION

33-110. AGENCY TO NEGOTIATE, AND ACCEPT, FEDERAL ASSISTANCE.  
The state board is designated as the state educational agency which is authorized to negotiate, and contract with, the federal government, and to accept financial or other assistance from the federal government or any agency thereof, under such terms and conditions as may be prescribed by congressional enactment designed to further the cause of education.

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**SUBJECT**

Proposed Rule – IDAPA 08.02.03, Rules Governing Thoroughness, LEP and NAEP Requirements.

**APPLICABLE STATUTE, RULE, OR POLICY**

N/A

**BACKGROUND**

**Section 111.04.c.** The year determination for Limited English Proficient (LEP) students set forth in Title I of No Child Left Behind is for LEP students to take an alternate Standard Achievement Test. This alternate assessment would be a native language version of the ISAT, which Idaho has decided to not implement. Federal regulations allow an LEP student to take the ISAT with accommodations and adaptations until they test proficient on a language proficiency test and exit the program. In addition, the Office of Civil Rights (OCR) and the Idaho Consent decree state that an LEP student may be in a program until they are proficient in English.

**Section 111.06.I.** The National Assessment Governing Board (NAGB) currently administers a national 12<sup>th</sup> grade National Assessment of Educational Progress (NAEP) test in a variety of subjects (reading, writing, math, social studies, arts, etc.). Schools around the country are randomly selected to participate and provide information for the national report. The 12<sup>th</sup> grade NAEP at the state level could be introduced by 2007 in reading, math, and science. Idaho's districts currently volunteer to participate in NAEP at the 12<sup>th</sup> grade level. The State of Idaho realizes the importance of participating in the NAEP and the data it provides and believes it is important to require participation by any student selected. Idaho currently requires students in grades 4 and 8 to participate in the NAEP assessments and sees the equal importance of requiring 12<sup>th</sup> grade students to participate, if selected.

**DISCUSSION**

It is proposed that two sections in IDAPA 08.02.03 be amended.

**Section 111.04.c.** The current seven-year limitation for students in an LEP program should not be in the ISAT assessment section. The number of years a student should be in an LEP program is based on their language proficiency, as per federal regulations under Title III of No Child Left Behind. The year limitation also causes students to be exited from language development services before they may be ready. The annual objectives set forth for LEP students under Title III hold districts and students accountable for language proficiency growth. Therefore Board staff seeks to clarify this section and remove the number of years for an LEP student in a program. In addition, clarification language is needed to ensure districts understand that the two years after LEP students test proficient, they should be considered exited from the LEP program.

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**Section 111.06.I.**

The NAEP assessment is a valuable tool in the national assessment arena. Board staff realizes the importance of Idaho student participation and seeks to add the requirement for 12<sup>th</sup> grade students to participate in the NAEP assessment, if selected.

**IMPACT**

The impact on the change in section 111.04.c. will be for districts and schools that serve LEP students in terms of how long they will be able to provide services to LEP students. If students are exited too early, they will be at risk of failure within the classroom, as well as on standardized testing. Currently, districts are exiting students that are not ready to be removed from services because of the year limitation. The impact on students is that with the proposed change, they will be able to receive the services deemed necessary by the language proficiency assessment.

Students will still be held accountable for growth in English language acquisition and content standards through the Language Proficiency Test and the ISAT. Once a single statewide English language proficiency test is in place, Board Staff will work with the testing vendor and a working group of Idaho teachers to recommend cut scores and definitions for the levels of proficiency the test measures. In addition, the group will revisit the decision on whether LEP students should be limited to a specific number of years in the program.

The impact on the addition in Section 111.06.I will be that 12<sup>th</sup> grade students, if selected, will be assessed with the NAEP assessment. Each selected student would be required to complete a 90-minute assessment. An NAEP vendor works with each selected school to determine the assessment schedule that best fits the school schedule.

**STAFF COMMENTS AND RECOMMENDATIONS**

Board staff recommends Board approval of the proposed amendments.

**BOARD ACTION**

A motion to approve the proposed amendment to IDAPA 08.02.03, Rules Governing Thoroughness, LEP and NAEP Requirements.

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



**Supporting Information:**

a. Title I regulations

Sec. 1111(b)(3)(C)(ix)(III)

The academic assessment shall provide for:

(III) the inclusion of limited English proficient students, who shall be assessed in a valid and reliable manner and provided reasonable accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency as determined under paragraph (7);

Sec. 1111(b)(3)(C)(x)

(x) notwithstanding subclause (III), the academic assessment (using tests written in English) of reading or language arts of any student who has attended school in the United States (not including Puerto Rico) for three or more consecutive school years, except that if the local educational agency determines, on a case-by-case individual basis, that academic assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed two additional consecutive years, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;

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

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

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

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

**03. Content.** The comprehensive assessment program will consist of multiple assessments, including, the Idaho Reading Indicator (IRI), the Direct Writing Assessment (DWA), the Direct Mathematics Assessment (DMA), the National Assessment of Educational Progress (NAEP), and the Idaho Standards Achievement Tests (ISAT). (3-20-04)

**04. Testing Population.** All students in Idaho public schools, grades kindergarten through ten (K-10), are required to participate in the comprehensive assessment program approved by the State Board of Education and funded. (4-6-05)

**a.** All students who are eligible for special education shall participate in the statewide assessment program. (4-6-05)

**b.** Each student's individualized education program team shall determine whether the student shall participate in the regular assessment without accommodations, the regular assessment with accommodations or adaptations, or whether the student qualifies for and shall participate in the alternate assessment. (4-6-05)

**c.** Limited English Proficient (LEP) students, as defined in Subsection 112.03.d.iv., who receive a score in the low range on the State Board of Education approved language acquisition proficiency test and have an Education Learning Plan (ELP), shall be given the ISAT with accommodations or adaptations, ~~for three (3) consecutive years. A further extension of two (2) consecutive years may be granted by the local district or local education agency, provided the language proficiency test score is still in the low range as outlined in the ELP.~~ Students can be categorized as LEP students for two (2) years after testing proficient on the language proficiency

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test ~~and exiting the LEP program. Students cannot exceed a total of seven (7) years as an LEP student.~~ LEP students who do not have an ELP or a language acquisition score will be given the regular ISAT without accommodations or adaptations. LEP students who are enrolled in their first year of school in the United States may take an English Proficiency test approved by the Board in lieu of the reading/ language usage ISAT, but will still be required to take the math ISAT with accommodations or adaptations as determined by the language proficiency score and ELP. Such LEP students will be counted as participants for the ninety-five percent (95%) participation target, as described in Subsection 112.03. However, such LEP students are not required to be counted for AYP purposes in determining proficiency, as described in Subsection 112.02. ~~(4-6-05)~~ (6-16-05)T

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

**06. Comprehensive Assessment Program.** The State approved comprehensive assessment program is outlined in Subsections 111.06.a. through 111.06.l. Each assessment will be comprehensive of and aligned to the Idaho State Achievement Standards it is intended to assess. In addition, districts are responsible for writing and implementing assessments in those standards not assessed by the state assessment program. (4-6-05)

- a. Kindergarten - Idaho Reading Indicator. (3-15-02)
- b. Grade 1 - Idaho Reading Indicator. (3-15-02)
- c. Grade 2 - Idaho Reading Indicator, Grade 2 Idaho Standards Achievement Tests. (3-20-04)
- d. Grade 3 - Idaho Reading Indicator, Grade 3 Idaho Standards Achievement Tests. (3-20-04)
- e. Grade 4 - Direct Math Assessment, National Assessment of Educational Progress, Grade 4 Idaho Standards Achievement Tests. (3-20-04)
- f. Grade 5 - Direct Writing Assessment, Grade 5 Idaho Standards Achievement Tests. (3-20-04)
- g. Grade 6 - Direct Math Assessment, Grade 6 Idaho Standards Achievement Tests. (3-20-04)
- h. Grade 7 - Direct Writing Assessment, Grade 7 Idaho Standards Achievement Tests. (3-20-04)
- i. Grade 8 - Direct Math Assessment, National Assessment of Educational Progress, Grade 8 Idaho Standards Achievement Tests. (3-20-04)
- j. Grade 9 - Direct Writing Assessment, Grade 9 Idaho Standards Achievement Tests. (3-20-04)
- k. Grade 10 - High School Idaho Standards Achievement Tests. (3-20-04)
- l. Grade 12 – National Assessment of Educational Progress (6-16-05)T

~~l. m.~~ \*Students who achieve a proficient or advanced score on a portion or portions of the ISAT offered in the Spring of their tenth grade year or later are not required to continue taking that portion or portions. (3-20-04)

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

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

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

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

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

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

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

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

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

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

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

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

**11. Test Security, Validity and Reliability.** Test security is of the utmost importance. School districts will employ the same security measures in protecting statewide assessment materials from compromise as they use to safeguard other formal assessments. (3-20-04)

**a.** All ISAT paper and pencil test booklets will be boxed and shipped to the test vendor to be counted no later than two (2) weeks after the end of the testing window. (3-20-04)

**b.** The ISAT will be refreshed each year to provide additional security beginning with grades four (4) eight (8) and ten (10) in 2007. Items will be refreshed for grades three (3) and seven (7) in 2008; grades five (5) and six (6) in 2009; and grades two (2) and nine (9) in 2010. (3-20-04)

**c.** Any assessment used for federal reporting shall be independently reviewed for reliability, validity, and alignment with the Idaho Achievement Standards. (3-20-04)

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

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

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

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**b.** A portfolio demonstrating grade level proficiency in at least five (5) of the subject areas listed in Subsections 111.13.b.i. through 111.13.b.vi. Portfolios are to be judged and confirmed by a committee comprised of at least one (1) teacher from each subject area presented in the portfolio and the building principal at the school where dual enrollment is desired. (4-6-05)

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

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**SUBJECT**

Teacher Mentoring Committee Update

**APPLICABLE STATUTE, RULE, OR POLICY**

2005 Legislation House Bill 315 and House Concurrent Resolution 20.

**BACKGROUND**

The 2000 Legislature amended Section 33-514, Idaho Code to address issuance of annual contracts based on a graduated set of criteria and rigor. Amendments to Section 33-514, Idaho Code required the districts to provide a support program, with the four elements of 1) mentoring, 2) peer assistance, 3) administrative assistance and 4) professional development, to any employee who is on a Category 1, 2 or 3 annual contract. At that time, the Legislature appropriated \$2 million dedicated to the district “mentoring” programs.

In 2003 the Legislature withdrew the \$2 million allocation. However, the requirements for the support program were still part of the law. The law required the school districts to develop and submit for approval a program in accordance with procedures established by the Department of Education.

In March of 2004 Representative Jack Barraclough sent a letter to Executive Director Gary Stivers requesting the State Board of Education “take appropriate action to prepare a report with a completion date for the fall of 2004” to address teacher mentoring in the state. The report requested information in four areas:

- Review of current legislation
- Review of literature addressing teacher mentoring
- Research and Examples of best practices, both state and federal

The report was completed and in January 2005 the Mentoring Committee presented its findings to the State Board of Education. With the State Board’s approval, the report was then presented to the House and Senate Education Legislative Committees in February 2005.

In March 2005, the Idaho School Boards Association (ISBA) introduced legislation that eliminated the requirement of the support (mentoring) program from the language on annual contract law addressed in Section 33-514, Idaho Code. The ISBA contended that local boards were being sued for not providing the mentoring programs, for which the Legislature had pulled the funding. The legislation, House Bill 315, passed and was signed by the Governor. A companion bill, House Concurrent Resolution 20, which directs State Board of Education (SBOE) to adopt a course of action to research, formulate and implement models to pilot and evaluate teacher support (mentoring) programs also passed.

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**DISCUSSION**

As a result of HCR20, SBOE will create a committee to look into state and national best practices, develop pilot projects and conduct research on the cost and effectiveness of mentoring.

The Committee is made up of members from the original committee plus some additional members to ensure that all stakeholder and interest groups are represented. (A list of the committee members is attached.)

A model project will be implemented over the next two years demonstrating teacher support and professional development effectiveness and cost efficiency. A study will be conducted to determine how teacher support and development improves and increases student achievement levels.

The committee will provide a progress report to the House of Representatives Education Committee and the Senate Education Committee in 2006, and a final report in 2007. The final reports will include, at a minimum, recommendations for statewide teacher support program components, funding requirements, and necessary administrative rules for implementation.

The Committee has identified four tasks:

- Task One – Identify Current Idaho Mentoring Programs
- Task Two – Identify Current National Programs
- Task Three – Identify Efficiency of Mentoring
- Task Four – Identify Effectiveness of Mentoring – this involves a research project where a study will be done comparing the effectiveness of new teachers who are mentored versus teachers who aren't. Teacher mentoring pilot programs will be created based on the Santa Cruz New Teacher Center model. A study of these pilot school districts will be done by comparing them with districts where there is virtually no mentoring. Statisticians will be hired to do the study and ISBA and the Office of the State Board of Education will provide support staff.

**STAFF COMMENTS AND RECOMMENDATIONS**

The cost of training, piloting and research will be covered by federal funds left from a Title II Teacher Quality grant SBOE received in 2000 in conjunction with the MOST project.

**BOARD ACTION**

A motion to appoint the members of the Mentoring Committee as listed on the attachment and to assign the scope of work of the committee to adopt a course of action to research, formulate and implement models to pilot and evaluate teacher support (mentoring) programs.

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



## **MENTORING COMMITTEE**

### **Legislature**

**Sen. Tom Gannon**

Buhl, ID 83316

**Rep. Sharon Block**

Twin Falls, ID 83301

**Rep. Kathy Garrett**

Boise, ID 83706

**Rep. Donna Pence**

Gooding, ID 83330

### **Business and Industry**

**Ms. Teresa Molitor, J.D.**

Idaho Association of Commerce and Industry (IACI)

Boise, ID 83701

**Mr. Don Soltman** (also a school trustee)

Vice President, Ancillary/Support Services

Kootenai Medical Center

Coeur d'Alene, ID 83814

### **Trustees**

**Dr. Cliff Green**

Idaho School Boards Association

### **Administrators**

**Dr. Mike Friend**

Idaho Association of School Administrators

Boise, Idaho 83705

### **Teachers**

**Ms. Raina Bohanek**

Coeur d'Alene, ID 83815

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**Ms. Robin Nettinga**  
Idaho Education Association  
Boise, Idaho 83701

**Governor's Office**

**Ms. Parra Byron**  
Office of the Governor  
Boise, ID 83720-0034

**Higher Education**

**Dr. Larry Harris, Dean**  
College of Education  
Idaho State University  
Pocatello, Idaho 83209

**Board Member**

**Ms. Karen McGee**  
Pocatello, Idaho 83204

**Staff**

**Dr. Patty Toney**  
State Department of Education  
Boise, ID 83720

**Ms. Allison McClintick**  
Office of the State Board of Education  
Boise, ID 83720

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**REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY**

LEGISLATURE OF THE STATE OF IDAHO

Fifty-eighth Legislature                      First Regular Session - 2005

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IN THE HOUSE OF REPRESENTATIVES  
HOUSE BILL NO. 315  
BY EDUCATION COMMITTEE

1                                      AN ACT  
2 RELATING TO SUPPORT PROGRAMS FOR EMPLOYEES OF SCHOOL DISTRICTS; AMENDING  
SEC-  
3 TION 33-512, IDAHO CODE, TO PROVIDE ADDITIONAL AUTHORITY TO SCHOOL  
4 TRUSTEES TO PROVIDE SUPPORT FOR TEACHERS IN THEIR FIRST YEAR IN THE PRO-  
5 FESSION; AND AMENDING SECTION 33-514, IDAHO CODE, TO DELETE THE REQUIRE-  
6 MENT THAT SCHOOL DISTRICTS PROVIDE SUPPORT PROGRAMS FOR CERTIFICATED  
7 EMPLOYEES DURING THEIR FIRST THREE YEARS WITH THE DISTRICT.

8 Be It Enacted by the Legislature of the State of Idaho:

9        SECTION 1. That Section 33-512, Idaho Code, be, and the same is hereby  
10 amended to read as follows:  
11        33-512. GOVERNANCE OF SCHOOLS. The board of trustees of each school dis-  
12 trict shall have the following powers and duties:

13        1. To fix the days of the year and the hours of the day when schools  
14 shall be in session. However:

15        (a) Each school district shall annually adopt and implement a school cal-  
16 endar which provides its students at each grade level with the following  
17 minimum number of instructional hours:

18	Grades	Hours
19	9-12	990
20	4-8	900
21	1-3	810
22	K	450

23        (b) School assemblies, testing and other instructionally related activi-  
24 ties involving students directly may be included in the required instruc-  
25 tional hours.

26        (c) When approved by a local school board, annual instructional hour  
27 requirements stated in paragraph (a) may be reduced as follows:

28        (i) Up to a total of twenty-two (22) hours to accommodate staff  
29 development activities conducted on such days as the local school  
30 board deems appropriate.

31        (ii) Up to a total of eleven (11) hours of emergency school closures  
32 due to adverse weather conditions and facility failures.

33        However, transportation to and from school, passing times between classes,  
34 recess and lunch periods shall not be included.

35        (d) Student and staff activities related to the opening and closing of  
36 the school year, grade reporting, program planning, staff meetings, and  
37 other classroom and building management activities shall not be counted as  
38 instructional time or in the reductions provided in paragraph (c)(i) of  
39 this section.

40        (e) For multiple shift programs, this rule applies to each shift (i.e.,  
41 each student must have access to the minimum annual required hours of  
42 instructions).

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- 1 (f) The instructional time requirement for grade 12 students may be  
2 reduced by action of a local school board for an amount of time not to  
3 exceed eleven (11) hours of instructional time.
- 4 (g) The state superintendent of public instruction may grant an exemption  
5 from the provisions of this section for an individual building within a  
6 district, when the closure of that building, for unforeseen circumstances,  
7 does not affect the attendance of other buildings within the district.
- 8 2. To adopt and carry on, and provide for the financing of, a total edu-  
9 cational program for the district. Such programs in other than elementary  
10 school districts may include education programs for out-of-school youth and  
11 adults; and such districts may provide classes in kindergarten;
- 12 3. To provide, or require pupils to be provided with, suitable textbooks  
13 and supplies, and for advice on textbook selections may appoint a textbook  
14 adoption committee as provided in section 33-512A, Idaho Code;
- 15 4. To protect the morals and health of the pupils;
- 16 5. To exclude from school, children not of school age;
- 17 6. To prescribe rules for the disciplining of unruly or insubordinate  
18 pupils, such rules to be included in a district discipline code adopted by the  
19 board of trustees and a summarized version thereof to be provided in writing  
20 at the beginning of each school year to the teachers and students in the dis-  
21 trict in a manner consistent with the student's age, grade and level of aca-  
22 demic achievement;
- 23 7. To exclude from school, pupils with contagious or infectious diseases  
24 who are diagnosed or suspected as having a contagious or infectious disease or  
25 those who are not immune and have been exposed to a contagious or infectious  
26 disease; and to close school on order of the state board of health or local  
27 health authorities;
- 28 8. To equip and maintain a suitable library or libraries in the school or  
29 schools and to exclude therefrom, and from the schools, all books, tracts,  
30 papers, and catechisms of sectarian nature;
- 31 9. To determine school holidays. Any listing of school holidays shall  
32 include not less than the following: New Year's Day, Memorial Day, Indepen-  
33 dence Day, Thanksgiving Day, and Christmas Day. Other days listed in section  
34 73-108, Idaho Code, if the same shall fall on a school day, shall be observed  
35 with appropriate ceremonies; and any days the state board of education may  
36 designate, following the proclamation by the governor, shall be school holi-  
37 days;
- 38 10. To erect and maintain on each schoolhouse or school grounds a suitable  
39 flagstaff or flagpole, and display thereon the flag of the United States of  
40 America on all days, except during inclement weather, when the school is in  
41 session; and for each Veterans Day, each school in session shall conduct and  
42 observe an appropriate program of at least one (1) class period remembering  
43 and honoring American veterans;
- 44 11. To prohibit entrance to each schoolhouse or school grounds, to pro-  
45 hibit loitering in schoolhouses or on school grounds and to provide for the  
46 removal from each schoolhouse or school grounds of any individual or individu-  
47 als who disrupt the educational processes or whose presence is detrimental to  
48 the morals, health, safety, academic learning or discipline of the pupils. A  
49 person who disrupts the educational process or whose presence is detrimental  
50 to the morals, health, safety, academic learning or discipline of the pupils  
51 or who loiters in schoolhouses or on school grounds, is guilty of a misde-  
52 meanor.
- 53 12. To supervise and regulate, including by contract with established  
54 entities, those extracurricular activities which are by definition outside of  
55 or in addition to the regular academic courses or curriculum of a public

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1 school, and which extracurricular activities shall not be considered to be a  
2 property, liberty or contract right of any student, and such extracurricular  
3 activities shall not be deemed a necessary element of a public school educa-  
4 tion, but shall be considered to be a privilege.

5 13. To govern the school district in compliance with state law and rules  
6 of the state board of education.

7 14. To submit to the superintendent of public instruction not later than  
8 July 1 of each year documentation which meets the reporting requirements of  
9 the federal gun-free schools act of 1994 as contained within the federal  
10 improving America's schools act of 1994.

11 15. To require that all persons hired for the first time by the district  
12 or who have been in the employ of the district five (5) years or less, undergo  
13 a criminal history check as provided in section 33-130, Idaho Code. All such  
14 employees who are required to undergo a criminal history check shall obtain  
15 the history check within three (3) months of starting employment, or for  
16 employees with five (5) years or less with the district, within three (3)  
17 months from the date such employee is notified that he must undergo a criminal  
18 history check. Such employees shall pay the cost of the criminal history  
19 check. If the criminal history check shows that the employee has been con-  
20 victed of a felony crime enumerated in section 33-1208, Idaho Code, it shall  
21 be grounds for immediate termination, dismissal or other personnel action of  
22 the district, except that it shall be the right of the school district to  
23 evaluate whether an individual convicted of one (1) of these crimes and having  
24 been incarcerated for that crime shall be hired. The district may require any  
25 or all persons who have been employed continuously with the same district for  
26 more than five (5) years, to undergo a criminal history check as provided in  
27 section 33-130, Idaho Code. If the district elects to require criminal history  
28 checks of such employees, the district shall pay the costs of the criminal  
29 history check or reimburse employees for such cost. A substitute teacher who  
30 has undergone a criminal history check at the request of one (1) district in  
31 which he has been employed as a substitute shall not be required to undergo an  
32 additional criminal history check at the request of any other district in  
33 which he is employed as a substitute if the teacher has obtained a criminal  
34 history check within the previous three (3) years. If the district next  
35 employing the substitute still elects to require another criminal history  
36 check within the three (3) year period, that district shall pay the cost of  
37 the criminal history check or reimburse the substitute teacher for such cost.

38 16. Each board of trustees of a school district shall be responsible for  
39 developing a system for registering volunteers or contractors consistent with  
40 maintaining a safe environment for their students.

41 17. To ensure that each school district, including specially chartered  
42 school districts, participates in the Idaho student information management  
43 system (ISIMS) to the full extent of its availability. The terms "Idaho stu-  
44 dent information management system," "appropriate access" and "real time"  
45 shall have such meanings as the terms are defined in section 33-1001, Idaho  
46 Code.

47 **18. To provide support for teachers in their first year in the profes-**  
48 **sion.**

49 SECTION 2. That Section 33-514, Idaho Code, be, and the same is hereby  
50 amended to read as follows:

51 33-514. ISSUANCE OF ANNUAL CONTRACTS -- SUPPORT PROGRAMS -- CATEGORIES OF  
52 CONTRACTS -- OPTIONAL PLACEMENT. (1) The board of trustees shall establish  
53 criteria and procedures for the supervision and evaluation of certificated

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1 employees who are not employed on a renewable contract, as provided for in  
2 section 33-515, Idaho Code.

3 ~~(2) Each school district shall have a support program for certificated~~  
4 ~~employees who are experiencing their first three (3) years with the district,~~  
5 ~~under a category 1, 2 or 3 contract, providing support in the areas of: admin-~~  
6 ~~istrative and supervisory support, mentoring, peer assistance and professional~~  
7 ~~development. In developing support programs, nothing shall prevent districts~~  
8 ~~from joining together to formulate a joint program applicable to each member~~  
9 ~~district. Programs shall be submitted for approval to the state department of~~  
10 ~~education in accordance with procedures established by the department. The~~  
11 ~~state department of education is hereby authorized and directed to:~~

12 ~~(a) Formulate basic guidelines which districts shall use as a model for~~  
13 ~~developing district programs;~~

14 ~~(b) Approve school district support programs; and~~

15 ~~(c) Establish procedures for districts to submit programs for approval,~~  
16 ~~to provide for periodic review of previously approved programs, and to~~  
17 ~~allow districts to amend previously approved programs.~~

18 ~~(3)~~ There shall be three (3) categories of annual contracts available to  
19 local school districts under which to employ certificated personnel:

20 (a) A category 1 contract is a limited one-year contract as provided in  
21 section 33-514A, Idaho Code.

22 (b) A category 2 contract is for certificated personnel in the first and  
23 second years of continuous employment with the same school district. ~~While~~  
24 ~~employed under a category 2 contract, the employee shall be provided the~~  
25 ~~services of the district support program referenced in subsection (2) of~~  
26 ~~this section.~~ Upon the decision by a local school board not to reemploy  
27 the person for the following year, the certificated employee shall be pro-  
28 vided a written statement of reasons for non-reemployment by no later than  
29 May 25. No property rights shall attach to a category 2 contract and  
30 therefore the employee shall not be entitled to a review by the local  
31 board of the reasons or decision not to reemploy.

32 (c) A category 3 contract is for certificated personnel during the third  
33 year of continuous employment by the same school district. District proce-  
34 dures shall require at least one (1) evaluation prior to the beginning of  
35 the second semester of the school year and the results of any such evalua-  
36 tion shall be made a matter of record in the employee's personnel file.  
37 When any such employee's work is found to be unsatisfactory a defined  
38 period of probation shall be established by the board, but in no case  
39 shall a probationary period be less than eight (8) weeks. After the proba-  
40 tionary period, action shall be taken by the board as to whether the  
41 employee is to be retained, immediately discharged, discharged upon termi-  
42 nation of the current contract or reemployed at the end of the contract  
43 term under a continued probationary status. Notwithstanding the provisions  
44 of sections 67-2344 and 67-2345, Idaho Code, a decision to place certifi-  
45 cated personnel on probationary status may be made in executive session  
46 and the employee shall not be named in the minutes of the meeting. A  
47 record of the decision shall be placed in the employee's personnel file.  
48 This procedure shall not preclude recognition of unsatisfactory work at a  
49 subsequent evaluation and the establishment of a reasonable period of pro-  
50 bation. In all instances, the employee shall be duly notified in writing  
51 of the areas of work which are deficient, including the conditions of pro-  
52 bation. Each such certificated employee on a category 3 contract shall be  
53 given notice, in writing, whether he or she will be reemployed for the  
54 next ensuing year. Such notice shall be given by the board of trustees no  
55 later than the twenty-fifth day of May of each such year. If the board of

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1 trustees has decided not to reemploy the certificated employee, then the  
2 notice must contain a statement of reasons for such decision and the  
3 employee shall, upon request, be given the opportunity for an informal  
4 review of such decision by the board of trustees. The parameters of an  
5 informal review shall be determined by the local board.  
6 (~~43~~) School districts hiring an employee who has been on renewable con-  
7 tract status with another Idaho district or has out-of-state experience which  
8 would otherwise qualify the certificated employee for renewable contract sta-  
9 tus in Idaho, shall have the option to immediately grant renewable contract  
10 status, or to place the employee on a category 3 annual contract. Such employ-  
11 ment on a category 3 contract under the provisions of this subsection may be  
12 for one (1), two (2) or three (3) years.  
13 (~~54~~) There shall be a minimum of two (2) written evaluations in each of  
14 the annual contract years of employment, and at least one (1) evaluation shall  
15 be completed before January 1 of each year. The provisions of this subsection  
16 (~~54~~) shall not apply to employees on a category 1 contract.

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**Amendment**

LEGISLATURE OF THE STATE OF IDAHO  
Fifty-eighth Legislature First Regular Session - 2005

Moved by Goedde

Seconded by Jorgenson

IN THE SENATE  
SENATE AMENDMENT TO H.B. NO. 315

1 AMENDMENT TO SECTION 1  
2 On page 3 of the printed bill, in line 47, delete "year" and insert: "two  
3 (2) years"; in line 48, following "sion" insert: "in the areas of: administra-  
4 tive and supervisory support, mentoring, peer assistance and professional  
5 development".

6 CORRECTION TO TITLE  
7 On page 1, in line 4, delete "YEAR" and insert: "TWO YEARS".  
**Engrossed Bill (Original Bill with Amendment(s) Incorporated)**

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LEGISLATURE OF THE STATE OF IDAHO  
Fifty-eighth Legislature First Regular Session - 2005  
IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 315, As Amended in the Senate

BY EDUCATION COMMITTEE

1 AN ACT  
2 RELATING TO SUPPORT PROGRAMS FOR EMPLOYEES OF SCHOOL DISTRICTS; AMENDING  
SEC-  
3 TION 33-512, IDAHO CODE, TO PROVIDE ADDITIONAL AUTHORITY TO SCHOOL  
4 TRUSTEES TO PROVIDE SUPPORT FOR TEACHERS IN THEIR FIRST TWO YEARS IN THE  
5 PROFESSION; AND AMENDING SECTION 33-514, IDAHO CODE, TO DELETE THE  
6 REQUIREMENT THAT SCHOOL DISTRICTS PROVIDE SUPPORT PROGRAMS FOR  
CERTIFI-  
7 CATED EMPLOYEES DURING THEIR FIRST THREE YEARS WITH THE DISTRICT.

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 33-512, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 33-512. GOVERNANCE OF SCHOOLS. The board of trustees of each school dis-  
12 trict shall have the following powers and duties:

13 1. To fix the days of the year and the hours of the day when schools  
14 shall be in session. However:

15 (a) Each school district shall annually adopt and implement a school cal-  
16 endar which provides its students at each grade level with the following  
17 minimum number of instructional hours:

18	Grades	Hours
19	9-12	990
20	4-8	900



**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
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21	1-3	810
22	K	450

23 (b) School assemblies, testing and other instructionally related activi-  
24 ties involving students directly may be included in the required instruc-  
25 tional hours.

26 (c) When approved by a local school board, annual instructional hour  
27 requirements stated in paragraph (a) may be reduced as follows:

28 (i) Up to a total of twenty-two (22) hours to accommodate staff  
29 development activities conducted on such days as the local school  
30 board deems appropriate.

31 (ii) Up to a total of eleven (11) hours of emergency school closures  
32 due to adverse weather conditions and facility failures.

33 However, transportation to and from school, passing times between classes,  
34 recess and lunch periods shall not be included.

35 (d) Student and staff activities related to the opening and closing of  
36 the school year, grade reporting, program planning, staff meetings, and  
37 other classroom and building management activities shall not be counted as  
38 instructional time or in the reductions provided in paragraph (c)(i) of  
39 this section.

40 (e) For multiple shift programs, this rule applies to each shift (i.e.,  
41 each student must have access to the minimum annual required hours of  
42 instructions).

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- 1 (f) The instructional time requirement for grade 12 students may be  
2 reduced by action of a local school board for an amount of time not to  
3 exceed eleven (11) hours of instructional time.
- 4 (g) The state superintendent of public instruction may grant an exemption  
5 from the provisions of this section for an individual building within a  
6 district, when the closure of that building, for unforeseen circumstances,  
7 does not affect the attendance of other buildings within the district.
- 8 2. To adopt and carry on, and provide for the financing of, a total edu-  
9 cational program for the district. Such programs in other than elementary  
10 school districts may include education programs for out-of-school youth and  
11 adults; and such districts may provide classes in kindergarten;
- 12 3. To provide, or require pupils to be provided with, suitable textbooks  
13 and supplies, and for advice on textbook selections may appoint a textbook  
14 adoption committee as provided in section 33-512A, Idaho Code;
- 15 4. To protect the morals and health of the pupils;
- 16 5. To exclude from school, children not of school age;
- 17 6. To prescribe rules for the disciplining of unruly or insubordinate  
18 pupils, such rules to be included in a district discipline code adopted by the  
19 board of trustees and a summarized version thereof to be provided in writing  
20 at the beginning of each school year to the teachers and students in the dis-  
21 trict in a manner consistent with the student's age, grade and level of aca-  
22 demic achievement;
- 23 7. To exclude from school, pupils with contagious or infectious diseases  
24 who are diagnosed or suspected as having a contagious or infectious disease or  
25 those who are not immune and have been exposed to a contagious or infectious  
26 disease; and to close school on order of the state board of health or local  
27 health authorities;
- 28 8. To equip and maintain a suitable library or libraries in the school or  
29 schools and to exclude therefrom, and from the schools, all books, tracts,  
30 papers, and catechisms of sectarian nature;
- 31 9. To determine school holidays. Any listing of school holidays shall  
32 include not less than the following: New Year's Day, Memorial Day, Indepen-  
33 dence Day, Thanksgiving Day, and Christmas Day. Other days listed in section  
34 73-108, Idaho Code, if the same shall fall on a school day, shall be observed  
35 with appropriate ceremonies; and any days the state board of education may  
36 designate, following the proclamation by the governor, shall be school holi-  
37 days;
- 38 10. To erect and maintain on each schoolhouse or school grounds a suitable  
39 flagstaff or flagpole, and display thereon the flag of the United States of  
40 America on all days, except during inclement weather, when the school is in  
41 session; and for each Veterans Day, each school in session shall conduct and  
42 observe an appropriate program of at least one (1) class period remembering  
43 and honoring American veterans;
- 44 11. To prohibit entrance to each schoolhouse or school grounds, to pro-  
45 hibit loitering in schoolhouses or on school grounds and to provide for the  
46 removal from each schoolhouse or school grounds of any individual or individu-  
47 als who disrupt the educational processes or whose presence is detrimental to  
48 the morals, health, safety, academic learning or discipline of the pupils. A  
49 person who disrupts the educational process or whose presence is detrimental  
50 to the morals, health, safety, academic learning or discipline of the pupils  
51 or who loiters in schoolhouses or on school grounds, is guilty of a misde-  
52 meanor.
- 53 12. To supervise and regulate, including by contract with established  
54 entities, those extracurricular activities which are by definition outside of  
55 or in addition to the regular academic courses or curriculum of a public

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1 school, and which extracurricular activities shall not be considered to be a  
2 property, liberty or contract right of any student, and such extracurricular  
3 activities shall not be deemed a necessary element of a public school educa-  
4 tion, but shall be considered to be a privilege.

5 13. To govern the school district in compliance with state law and rules  
6 of the state board of education.

7 14. To submit to the superintendent of public instruction not later than  
8 July 1 of each year documentation which meets the reporting requirements of  
9 the federal gun-free schools act of 1994 as contained within the federal  
10 improving America's schools act of 1994.

11 15. To require that all persons hired for the first time by the district  
12 or who have been in the employ of the district five (5) years or less, undergo  
13 a criminal history check as provided in section 33-130, Idaho Code. All such  
14 employees who are required to undergo a criminal history check shall obtain  
15 the history check within three (3) months of starting employment, or for  
16 employees with five (5) years or less with the district, within three (3)  
17 months from the date such employee is notified that he must undergo a criminal  
18 history check. Such employees shall pay the cost of the criminal history  
19 check. If the criminal history check shows that the employee has been con-  
20 victed of a felony crime enumerated in section 33-1208, Idaho Code, it shall  
21 be grounds for immediate termination, dismissal or other personnel action of  
22 the district, except that it shall be the right of the school district to  
23 evaluate whether an individual convicted of one (1) of these crimes and having  
24 been incarcerated for that crime shall be hired. The district may require any  
25 or all persons who have been employed continuously with the same district for  
26 more than five (5) years, to undergo a criminal history check as provided in  
27 section 33-130, Idaho Code. If the district elects to require criminal history  
28 checks of such employees, the district shall pay the costs of the criminal  
29 history check or reimburse employees for such cost. A substitute teacher who  
30 has undergone a criminal history check at the request of one (1) district in  
31 which he has been employed as a substitute shall not be required to undergo an  
32 additional criminal history check at the request of any other district in  
33 which he is employed as a substitute if the teacher has obtained a criminal  
34 history check within the previous three (3) years. If the district next  
35 employing the substitute still elects to require another criminal history  
36 check within the three (3) year period, that district shall pay the cost of  
37 the criminal history check or reimburse the substitute teacher for such cost.

38 16. Each board of trustees of a school district shall be responsible for  
39 developing a system for registering volunteers or contractors consistent with  
40 maintaining a safe environment for their students.

41 17. To ensure that each school district, including specially chartered  
42 school districts, participates in the Idaho student information management  
43 system (ISIMS) to the full extent of its availability. The terms "Idaho stu-  
44 dent information management system," "appropriate access" and "real time"  
45 shall have such meanings as the terms are defined in section 33-1001, Idaho  
46 Code.

47 **18. To provide support for teachers in their first two (2) years in the**  
48 **profession in the areas of: administrative and supervisory support, mentoring,**  
49 **peer assistance and professional development.**

50 SECTION 2. That Section 33-514, Idaho Code, be, and the same is hereby  
51 amended to read as follows:

52 33-514. ISSUANCE OF ANNUAL CONTRACTS -- SUPPORT PROGRAMS -- CATEGORIES OF  
53 CONTRACTS -- OPTIONAL PLACEMENT. (1) The board of trustees shall establish

**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
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1 criteria and procedures for the supervision and evaluation of certificated  
2 employees who are not employed on a renewable contract, as provided for in  
3 section 33-515, Idaho Code.

4 ~~(2) Each school district shall have a support program for certificated~~  
5 ~~employees who are experiencing their first three (3) years with the district,~~  
6 ~~under a category 1, 2 or 3 contract, providing support in the areas of: admin-~~  
7 ~~istrative and supervisory support, mentoring, peer assistance and professional~~  
8 ~~development. In developing support programs, nothing shall prevent districts~~  
9 ~~from joining together to formulate a joint program applicable to each member~~  
10 ~~district. Programs shall be submitted for approval to the state department of~~  
11 ~~education in accordance with procedures established by the department. The~~  
12 ~~state department of education is hereby authorized and directed to:~~

13 ~~(a) Formulate basic guidelines which districts shall use as a model for~~  
14 ~~developing district programs;~~

15 ~~(b) Approve school district support programs; and~~

16 ~~(c) Establish procedures for districts to submit programs for approval,~~  
17 ~~to provide for periodic review of previously approved programs, and to~~  
18 ~~allow districts to amend previously approved programs.~~

19 ~~(3)~~ There shall be three (3) categories of annual contracts available to  
20 local school districts under which to employ certificated personnel:

21 (a) A category 1 contract is a limited one-year contract as provided in  
22 section 33-514A, Idaho Code.

23 (b) A category 2 contract is for certificated personnel in the first and  
24 second years of continuous employment with the same school district. ~~While~~  
25 ~~employed under a category 2 contract, the employee shall be provided the~~  
26 ~~services of the district support program referenced in subsection (2) of~~  
27 ~~this section.~~ Upon the decision by a local school board not to reemploy  
28 the person for the following year, the certificated employee shall be pro-  
29 vided a written statement of reasons for non-reemployment by no later than  
30 May 25. No property rights shall attach to a category 2 contract and  
31 therefore the employee shall not be entitled to a review by the local  
32 board of the reasons or decision not to reemploy.

33 (c) A category 3 contract is for certificated personnel during the third  
34 year of continuous employment by the same school district. District proce-  
35 dures shall require at least one (1) evaluation prior to the beginning of  
36 the second semester of the school year and the results of any such evalua-  
37 tion shall be made a matter of record in the employee's personnel file.  
38 When any such employee's work is found to be unsatisfactory a defined  
39 period of probation shall be established by the board, but in no case  
40 shall a probationary period be less than eight (8) weeks. After the proba-  
41 tionary period, action shall be taken by the board as to whether the  
42 employee is to be retained, immediately discharged, discharged upon termi-  
43 nation of the current contract or reemployed at the end of the contract  
44 term under a continued probationary status. Notwithstanding the provisions  
45 of sections 67-2344 and 67-2345, Idaho Code, a decision to place certifi-  
46 cated personnel on probationary status may be made in executive session  
47 and the employee shall not be named in the minutes of the meeting. A  
48 record of the decision shall be placed in the employee's personnel file.  
49 This procedure shall not preclude recognition of unsatisfactory work at a  
50 subsequent evaluation and the establishment of a reasonable period of pro-  
51 bation. In all instances, the employee shall be duly notified in writing  
52 of the areas of work which are deficient, including the conditions of pro-  
53 bation. Each such certificated employee on a category 3 contract shall be  
54 given notice, in writing, whether he or she will be reemployed for the  
55 next ensuing year. Such notice shall be given by the board of trustees no

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1 later than the twenty-fifth day of May of each such year. If the board of  
2 trustees has decided not to reemploy the certificated employee, then the  
3 notice must contain a statement of reasons for such decision and the  
4 employee shall, upon request, be given the opportunity for an informal  
5 review of such decision by the board of trustees. The parameters of an  
6 informal review shall be determined by the local board.  
7 (~~43~~) School districts hiring an employee who has been on renewable con-  
8 tract status with another Idaho district or has out-of-state experience which  
9 would otherwise qualify the certificated employee for renewable contract sta-  
10 tus in Idaho, shall have the option to immediately grant renewable contract  
11 status, or to place the employee on a category 3 annual contract. Such employ-  
12 ment on a category 3 contract under the provisions of this subsection may be  
13 for one (1), two (2) or three (3) years.  
14 (~~54~~) There shall be a minimum of two (2) written evaluations in each of  
15 the annual contract years of employment, and at least one (1) evaluation shall  
16 be completed before January 1 of each year. The provisions of this subsection  
17 (~~54~~) shall not apply to employees on a category 1 contract.

**Statement of Purpose / Fiscal Impact**

STATEMENT OF PURPOSE

RS 15128

The purpose of this legislation is to amend Idaho Code 33-512 to include a power and duty for school districts to provide support for teachers in their first year of the profession, and to amend Idaho Code 33-514 to eliminate the statutory requirement that districts' provide support programs for teachers during their first three years, to eliminate the Department of Education's charge to develop guidelines and procedures for a district teacher support program, and to uncouple the district teacher support requirement from the issuance of district employment contracts.

FISCAL NOTE

There is no fiscal impact on the general fund.

Contact

Name: Dr. Cliff Green, Idaho School Boards Association  
Phone: 854-1476

STATEMENT OF PURPOSE/FISCAL NOTE

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**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
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**REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY—continued**

LEGISLATURE OF THE STATE OF IDAHO

Fifty-eighth Legislature

First Regular Session - 2005

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IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 20

BY EDUCATION COMMITTEE

1                   A CONCURRENT RESOLUTION  
2   STATING FINDINGS OF THE LEGISLATURE CONCERNING THE TEACHER MENTORING  
PROGRAM  
3   AND COMMENDING TO THE STATE BOARD OF EDUCATION CREATION OF A TASK FORCE  
TO  
4   DEVELOP A TEST PROGRAM MODELING TEACHER MENTORING AND ENCOURAGING  
PARTICI-  
5   PATION AND COOPERATION FROM THE STATE DEPARTMENT OF EDUCATION, SCHOOL  
DIS-  
6   TRICT TRUSTEES AND SUPERINTENDENTS IN LOCAL SCHOOL DISTRICTS, AND  
TEACHERS  
7   IN THE SCHOOLS.

8   Be It Resolved by the Legislature of the State of Idaho:

9       WHEREAS, specific school districts developed mentoring programs over the  
10   course of past years to promote teacher development and improvement; and  
11       WHEREAS, the Legislature recognized the potential of mentoring programs  
12   and adopted a statute mandating a mentoring program according to State Depart-  
13   ment of Education guidelines to foster teacher professional development and  
14   increase student achievement; and

15       WHEREAS, initially, the mentoring program was approved with state funding  
16   to support the mandate, but since 2003 there has been no state funding and  
17   there is no projected future funding; and

18       WHEREAS, some school districts have struggled to provide quality mentoring  
19   programs and there is a need to determine effective methods of professional  
20   teacher development that are consistent across school districts enhancing  
21   teacher growth, ensuring fiscal accountability, and standardizing data collec-  
22   tion for measuring program effectiveness; and

23       WHEREAS, a well-designed and reasonably funded mentoring program for  
24   teacher training can lead to improved student performance through professional  
25   development for teachers.

26       NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session  
27   of the Fifty-eighth Idaho Legislature, the House of Representatives and the  
28   Senate concurring therein, that the Legislature commends to the State Board of  
29   Education that the Board adopt a course of action appointing a task force to  
30   research, formulate and implement models to pilot and evaluate teacher support  
31   programs. Models tested may include current Idaho programs and practices or  
32   other teacher support programs and practices used in other states. The model  
33   project shall be implemented over the next two years demonstrating teacher  
34   support and professional development effectiveness and cost efficiency, and to  
35   determine how teacher support and development improves and increases student  
36   achievement levels. The task force shall use nonstate funds to perform the  
37   aforesaid activities, to design, collect and evaluate standardized

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38 programmatic and fiscal data, and to closely monitor the pilot programs. The  
39 task force shall provide a progress report to the House of Representatives  
40 Education Committee and the Senate Education Committee in 2006, and a final  
41 report in 2007. The final report should include, at a minimum, recommendations  
42 for statewide teacher support program components, funding requirements, and  
43 necessary administrative rules for implementation. The Legislature further  
44 encourages participation and cooperation from the State Department of Educa-

1 tion, school trustees and superintendents in local school districts, and  
2 teachers in the schools.

**Statement of Purpose / Fiscal Impact**

STATEMENT OF PURPOSE

RS 15133

The purpose of this resolution is to recognize the work of the mentoring task force created by the State Board of Education, and to use the findings of the initial work of this task force to develop and implement mentoring pilot projects funded with existing federal funds. The resolution calls for the State Board of Education's task force to remain in place for two years to monitor the projects, collect data, analyze progress, determine teacher development and how that relates to increased student achievement, and report to the legislature in 2006. The resolution further calls upon the task force to present a final report bringing programmatic and funding recommendations to the House and Senate germane Education Committees in 2007.

FISCAL NOTE

There is no fiscal impact on the general fund.

Contact

Name: Dr. Cliff Green, Idaho School Boards Association  
Phone: 208-854-1476

STATEMENT OF PURPOSE/FISCAL NOTE

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**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
**JUNE 16-17, 2005**

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**SUBJECT**

Idaho/Washington Reciprocity Agreement

**APPLICABLE STATUTE, RULE, OR POLICY**

- Idaho State Board of Education Governing Policies and Procedures, Section V. T. 2.d.
- 2005 Legislation House Bill 231.

**BACKGROUND**

For well over a decade the Idaho State Board of Education and the Washington Higher Education Coordinating Board (HECB) have had a tuition reciprocity agreement that enhances access to educational opportunities for residents of Idaho and Washington at reduced tuition rates. The current two-year agreement expires on June 30, 2005.

**DISCUSSION**

Under the terms of the 2003-2005 agreement, the Board and the HECB agree to waive nonresident tuition charges in the total amount of \$850,000  $\pm$  \$500 on an academic year basis at each participating institution as follows:

Idaho Institution Amount Waived		Washington Institution Amount Waived	
University of Idaho:	\$433,500	Walla Walla Community College:	\$300,000
Lewis Clark State College:	\$229,500	Washington State University:	\$240,000
Boise State University:	\$ 93,500	Eastern Washington University:	\$310,000
Idaho State University	\$ 93,500		
Total Waived:	\$850,000	Total Waived	\$850,000

A representative from the HECB contacted the Board office and has inquired if Idaho is interested in renewing the reciprocity agreement for another two years for the same dollar amount each year as indicated above. At the meeting of the Council on Academic Affairs and Programs Committee held on May 27, 2005 via conference call, the University of Idaho, Lewis-Clark State College, Boise State University, and Idaho State University expressed interest in renewing the agreement for another two years at the same amounts as per the previous agreement.

**IMPACT**

Renewal of the reciprocity agreement provides a cost-effective way for Idaho and Washington students to attend an out-of-state institution at reduced tuition rates.

**STAFF COMMENTS AND RECOMMENDATIONS**

Board staff recommends the renewal of the two-year reciprocity agreement between the State Board of Education and the Washington HECB.

**BOARD ACTION**

A motion to approve the renewal of the two-year reciprocity agreement between the State Board of Education and the Washington Higher Education Coordinating Board.

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

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**MEMORANDUM OF AGREEMENT**

Between

THE WASHINGTON HIGHER EDUCATION COORDINATING BOARD (HECB)  
For the State of Washington

and

THE IDAHO STATE BOARD OF EDUCATION (ISBOE)  
For the State of Idaho

WHEREAS, It is the objective of both the State of Washington and the State of Idaho to provide increased access to educational opportunities for bona fide residents of Idaho and Washington; and

WHEREAS, The Revised Code of Washington, Chapter 28B.15.750 authorizes the Higher Education Coordinating Board (HECB) to enter into an agreement with appropriate officials or agencies in Idaho to effect a student exchange program that would waive the payment of all or a portion of the nonresident tuition and fees differential for residents of Idaho; and

WHEREAS, Idaho Code Section 33-3717C authorizes the Idaho State Board of Education and the Board of Regents of the University of Idaho collectively referred to as the ISBOE to enter into negotiations with the State of Washington to waive a portion of nonresident tuition for residents of the State of Washington; and

WHEREAS, It is the intent of the ISBOE to provide access to programs not currently available at Idaho institutions of higher education; and

WHEREAS, It is the intent of HECB to provide access opportunities to residents of all geographic regions of Washington; and

**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
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WHEREAS, It is the intent of both the HECB and the ISBOE prior to entering into said agreement to achieve an exchange of students which results in balanced or nearly balanced levels of foregone tuition and fees.

NOW, THEREFORE, The HECB and the ISBOE mutually agree as follows:

1. The State of Idaho, through the State Board of Education and the Board of Regents of the University of Idaho, will waive nonresident tuition charges in the total amount of \$850,000  $\pm$  \$500 on an academic year basis for Washington residents who are enrolled or are seeking enrollment on a full-time basis in baccalaureate and graduate degree program as follows: Boise State University -- \$93,500; Idaho State University -- \$93,500; Lewis-Clark State College -- \$229,500; and the University of Idaho -- \$433,500.

The number of students covered by this agreement and the amount waived per student are at the discretion of each participating institution.

2. The State of Washington, through the Boards of Regents and Trustees of the participating institutions, will waive a total of \$850,000  $\pm$  \$500 of nonresident tuition and fee differential charges on a academic year basis for Idaho residents who are enrolled or are seeking enrollment on a full-time basis in baccalaureate and graduate degree programs as follows: Eastern Washington University -- \$430,000; and Walla Walla Community College -- \$420,000. Walla Walla Community College shall give priority to students enrolled in programs of nursing at the Clarkston Center. The number of students covered by this agreement and the amount waived per student are at the discretion of each participating institution.

3. Washington institutions shall give first priority to waiving all or a portion of the nonresident tuition and fees differential for Idaho residents who are seeking enrollment or are currently enrolled in degree programs not available in Idaho according to the ISBOE Official Program and Degree Listing.

4. Idaho and Washington institutions shall give priority to currently enrolled students who meet or exceed institutional policies on satisfactory academic performance.

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DRAFT 5/27/05

5. Students participating in the reciprocity program must be bona fide residents of their home state and may not be seeking to establish a change in residency during the time they participate in the program; time accrued while participating in the reciprocity program will not contribute toward the length of residence required for residency status.

6. Institutions shall inform students of their policies on eligibility for renewal of waivers including a statement that all waivers are subject to continuance of the reciprocity agreement executed by the HECB and the ISBOE.

7. The HECB and the ISBOE agree to review the enrollment patterns related to reciprocity at participating institutions annually to consider the level of participation for the next academic year. The HECB and the ISBOE shall develop common criteria for identifying data to be provided by participating institutions as necessary to this agreement for collection and analysis for the HECB and the ISBOE.

8. The HECB and the ISBOE have developed the 2005 - 2007 agreement to be financially balanced, consistent with the intent of Revised Code of Washington (28B.15.752). While each state will endeavor to manage waivers to the amounts set forth in sections 1 and 2 of this agreement, no balancing adjustments need be made during the course of the agreement and, should participation levels not be realized, no provisions for payment of any imbalance has been agreed to by the parties to the agreement.

This agreement shall be effective after midnight, July 1, 2005, and shall continue until June 30, 2007, with the expectation that the review of the annual activities will be made by December 31, 2005. Either the HECB or the ISBOE with six (6) months' notice may terminate this agreement.

**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
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DRAFT 5/27/05

Any notice given in connection with this agreement shall be given in writing and shall be delivered by hand to the other party or by normal U.S. Postal Service delivery to the other party at the following address:

Idaho State Board of Education  
650 W. State Street  
PO Box 83720  
Boise ID 83720-0037

Washington Higher Education Coordinating Board  
917 Lakeridge Way  
PO Box 43430  
Olympia WA 98504-3430

IDAHO

WASHINGTON

THE IDAHO STATE  
BOARD OF EDUCATION

THE WASHINGTON STATE HIGHER  
EDUCATION COORDINATING BOARD

---

Gary Stivers  
Executive Director

---

James Sulton  
Executive Director

---

Date

---

Date

**INSTRUCTION, RESEARCH & STUDENT AFFAIRS  
JUNE 16-17, 2005**

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**REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY**

**Idaho State Board of Education**

**GOVERNING POLICIES AND PROCEDURES**

**SECTION: V. FINANCIAL AFFAIRS**

**Subsection: T. Fee Waivers**

**April 2002**

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**2. Waiver of Nonresident Tuition**

**d. Reciprocity with the State of Washington**

Based on a limit approved by the Board, waivers may be allocated on an annual basis by the executive director to the college and universities in postsecondary education programs for Washington residents. An equal number of opportunities shall be afforded to Idaho residents in Washington postsecondary institutions.

**INSTRUCTION, RESEARCH & STUDENT AFFAIRS**  
**JUNE 16-17, 2005**

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**REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY – continued**

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LEGISLATURE OF THE STATE OF IDAHO

Fifty-eighth Legislature

First Regular Session - 2005

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IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 231

BY EDUCATION COMMITTEE

1                                   AN ACT

2   RELATING TO TUITION AT INSTITUTIONS OF HIGHER EDUCATION; REPEALING SECTION  
3   33-3717, IDAHO CODE; AMENDING CHAPTER 37, TITLE 33, IDAHO CODE, BY THE  
4   ADDITION OF A NEW SECTION 33-3717, IDAHO CODE, TO AUTHORIZE FEES FOR  
5   ATTENDANCE AT THE UNIVERSITY OF IDAHO; AMENDING CHAPTER 37, TITLE 33,  
6   IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3717A, IDAHO CODE, TO AU-  
7   THORIZE FEES, INCLUDING TUITION FEES, FOR ATTENDANCE AT STATE COLLEGES AND  
8   UNIVERSITIES OTHER THAN THE UNIVERSITY OF IDAHO; AMENDING CHAPTER 37,  
9   TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-3717B, IDAHO  
10   CODE, TO ESTABLISH RESIDENCY REQUIREMENTS FOR ATTENDANCE AT PUBLIC  
INSTI-  
11   TUTIONS OF HIGHER EDUCATION; AMENDING SECTION 33-3717A, IDAHO CODE, TO  
12   REDESIGNATE THE SECTION AND TO INCLUDE REFERENCE TO FEES; AND  
AMENDING  
13   SECTIONS 33-3720, 33-4306 AND 33-4403, IDAHO CODE, TO MAKE TECHNICAL COR-  
14   RECTIONS.

15   Be It Enacted by the Legislature of the State of Idaho:

16   SECTION 1. That Section 33-3717, Idaho Code, be, and the same is hereby  
17   repealed.

18   SECTION 2. That Chapter 37, Title 33, Idaho Code, be, and the same is  
19   hereby amended by the addition thereto of a **NEW SECTION**, to be known and des-  
20   ignated as Section 33-3717, Idaho Code, and to read as follows:

21   33-3717. FEES AT THE UNIVERSITY OF IDAHO. (1) The state board of educa-  
22   tion and the board of regents of the university of Idaho may prescribe fees,  
23   but not tuition, for all full-time, resident students enrolled in the univer-  
24   sity of Idaho.

25   (2) The state board of education and the board of regents of the univer-  
26   sity of Idaho may prescribe tuition for:

27   (a) Nonresident students enrolled in the university of Idaho; or

28   (b) Resident students enrolled in the university of Idaho who are:



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29 (i) In a professional program, college, school or department  
30 approved by the state board of education and the board of regents of  
31 the university of Idaho;

32 (ii) Taking extra studies; or

33 (iii) Part-time students at the institution.

34 (3) For purposes of this section, tuition shall be defined as payment for  
35 the cost of instruction.

36 (4) Fees which may be prescribed under this section include matriculation  
37 fees, defined as the fees charged to students for all educational costs other  
38 than the cost of instruction including, but not limited to, costs associated  
39 with the construction, maintenance and operation of buildings and facilities,  
40 student services, and institutional support, which are complementary to, but  
41 not a part of, the instructional program. The state board of education and the  
42 board of regents of the university of Idaho also may prescribe fees for all

1 students for any additional charges, other than payment for the cost of  
2 instruction, that are necessary for the proper operation of the institution.

3 (5) A resident student is a student who meets the residency requirements  
4 imposed by section 33-3717B, Idaho Code.

5 (6) Nothing contained in this section shall prevent the state board of  
6 education and the board of regents of the university of Idaho from waiving  
7 fees or tuition to be paid by nonresident students, as defined in section  
8 33-3717C, Idaho Code, who are enrolled in the university of Idaho.

9 SECTION 3. That Chapter 37, Title 33, Idaho Code, be, and the same is  
10 hereby amended by the addition thereto of a **NEW SECTION**, to be known and des-  
11 ignated as Section 33-3717A, Idaho Code, and to read as follows:

12 33-3717A. FEES AT STATE COLLEGES AND UNIVERSITIES OTHER THAN THE UNIVER-  
13 SITY OF IDAHO. (1) The state board of education may prescribe fees, including  
14 tuition fees, for resident and nonresident students enrolled in all state col-  
15 leges and universities other than the university of Idaho. For purposes of  
16 this section, said fees, including tuition fees, may be used for any and all  
17 educational costs at the state colleges and universities including, but not  
18 limited to, costs associated with:

19 (a) Academic services;

20 (b) Instruction;

21 (c) The construction, maintenance and operation of buildings and facili-

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- 22 ties;  
23 (d) Student services; or  
24 (e) Institutional support.

25 The state board of education also may prescribe fees for all students for any  
26 additional charges that are necessary for the proper operation of each insti-  
27 tution.

28 (2) A resident student is a student who meets the residency requirements  
29 imposed by section 33-3717B, Idaho Code.

30 (3) Nothing contained in this section shall prevent the state board of  
31 education from waiving fees, including tuition fees, to be paid by nonresident  
32 students, as defined in section 33-3717C, Idaho Code, who are enrolled in the  
33 state colleges and universities.

34 (4) Nothing contained in this section shall apply to community colleges  
35 now or hereafter established pursuant to chapter 21, title 33, Idaho Code, or  
36 to postsecondary professional-technical schools now or hereafter established  
37 and not connected to or a part of a state college or university.

38 SECTION 4. That Chapter 37, Title 33, Idaho Code, be, and the same is  
39 hereby amended by the addition thereto of a **NEW SECTION**, to be known and des-  
40 ignated as Section 33-3717B, Idaho Code, and to read as follows:

41 33-3717B. RESIDENCY REQUIREMENTS. (1) For any public institution of  
42 higher education in Idaho, a "resident student" is:

43 (a) Any student who has one (1) or more parent or parents or court-ap-  
44 pointed guardians who are domiciled in the state of Idaho. Domicile, in  
45 the case of a parent or guardian, means that individual's true, fixed and  
46 permanent home and place of habitation. It is the place where that indi-  
47 vidual intends to remain, and to which that individual expects to return  
48 when that individual leaves without intending to establish a new domicile  
49 elsewhere. To qualify under this section, the parent, parents or guardians  
50 must have maintained a bona fide domicile in the state of Idaho for at  
51 least one (1) year prior to the opening day of the term for which the stu-

1 dent matriculates.

2 (b) Any student, who receives less than fifty percent (50%) of the  
3 student's support from a parent, parents or legal guardians who are not  
4 residents of this state for voting purposes, but which student has contin-  
5 uously resided in the state of Idaho for twelve (12) months next preceding

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the opening day of the term during which the student proposes to attend the college or university and who has in fact established a bona fide domicile in this state primarily for purposes other than educational.

(c) Subject to subsection (2) of this section, any student who is a graduate of an accredited secondary school in the state of Idaho, and who matriculates at a college or university in the state of Idaho during the term immediately following such graduation regardless of the residence of the student's parent or guardian.

(d) The spouse of a person who is classified, or is eligible for classification, as a resident of the state of Idaho for the purposes of attending a college or university.

(e) A member of the armed forces of the United States, stationed in the state of Idaho on military orders.

(f) A student whose parent or guardian is a member of the armed forces and stationed in the state of Idaho on military orders and who receives fifty percent (50%) or more of support from parents or legal guardians. The student, while in continuous attendance, shall not lose that residence when the student's parent or guardian is transferred on military orders.

(g) A person separated, under honorable conditions, from the United States armed forces after at least two (2) years of service, who at the time of separation designates the state of Idaho as his intended domicile or who has Idaho as the home of record in service and enters a college or university in the state of Idaho within one (1) year of the date of separation.

(h) Any individual who has been domiciled in the state of Idaho, has qualified and would otherwise be qualified under the provisions of this statute and who is away from the state for a period of less than one (1) calendar year and has not established legal residence elsewhere provided a twelve (12) month period of continuous residence has been established immediately prior to departure.

(i) A student who is a member of any of the following Idaho Native American Indian tribes, regardless of current domicile, shall be considered an Idaho state resident for purposes of fees or tuition at institutions of higher education: members of the following Idaho Native American Indian tribes, whose traditional and customary tribal boundaries included portions of the state of Idaho, or whose Indian tribe was granted reserved lands within the state of Idaho: (i) Coeur d'Alene tribe; (ii) Shoshone-Paiute tribes; (iii) Nez Perce tribe; (iv) Shoshone-Bannock tribes; (v)

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44 Kootenai tribe.

45 (2) A "nonresident student" shall mean any student who does not qualify  
46 as a "resident student" under the provisions of subsection (1) of this sec-  
47 tion, and shall include:

48 (a) A student attending an institution in this state with the aid of  
49 financial assistance provided by another state or governmental unit or  
50 agency thereof, such nonresidency continuing for one (1) year after the  
51 completion of the semester for which such assistance is last provided.

52 (b) A person who is not a citizen of the United States of America, who  
53 does not have permanent or temporary resident status or does not hold  
54 "refugee-parolee" or "conditional entrant" status with the United States  
55 immigration and naturalization service or is not otherwise permanently

1 residing in the United States under color of the law and who does not also  
2 meet and comply with all applicable requirements of this section.

3 (3) The establishment of a new domicile in Idaho by a person formerly  
4 domiciled in another state has occurred if such person is physically present  
5 in Idaho primarily for purposes other than educational and can show satisfac-  
6 tory proof that such person is without a present intention to return to such  
7 other state or to acquire a domicile at some other place outside of Idaho.  
8 Institutions determining whether a student is domiciled in the state of Idaho  
9 primarily for purposes other than educational shall consider, but shall not be  
10 limited to, the following factors:

11 (a) Registration and payment of Idaho taxes or fees on a motor vehicle,  
12 mobile home, travel trailer, or other item of personal property for which  
13 state registration and the payment of a state tax or fee is required;

14 (b) Filing of Idaho state income tax returns;

15 (c) Permanent full-time employment or the hourly equivalent thereof in  
16 the state of Idaho;

17 (d) Registration to vote for state elected officials in Idaho at a gen-  
18 eral election.

19 (4) The state board of education and the board of regents of the univer-  
20 sity of Idaho shall adopt uniform and standard rules applicable to all state  
21 colleges and universities now or hereafter established to determine resident  
22 status of any student and to establish procedures for review of that status.

23 (5) Appeal from a final determination denying resident status may be ini-  
24 tiated by the filing of an action in the district court of the county in which

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25 the affected college or university is located; an appeal from the district  
26 court shall lie as in all civil actions.

27 (6) Nothing contained herein shall prevent the state board of education  
28 and the board of regents of the university of Idaho from establishing quotas,  
29 standards for admission, standards for readmission, or other terms and  
30 requirements governing persons who are not residents for purposes of higher  
31 education.

32 (7) For students who apply for special graduate and professional programs  
33 including, but not limited to, the WAMI (Washington, Alaska, Montana, Idaho)  
34 regional medical program, the WICHE student exchange programs, Creighton uni-  
35 versity school of dental science, the university of Utah college of medicine,  
36 and the Washington, Oregon, Idaho (WOI) regional program in veterinary medical  
37 education, no applicant shall be certified or otherwise designated as a bene-  
38 ficiary of such special program who has not been a resident of the state of  
39 Idaho for at least one (1) calendar year previous to the application date.

40 SECTION 5. That Section 33-3717A, Idaho Code, be, and the same is hereby  
41 amended to read as follows:

42 33-3717~~AC~~. WAIVING FEES OR TUITION FOR CERTAIN NONRESIDENT STUDENTS. (1)

43 Notwithstanding any other provision of law the state board of education and  
44 the board of regents of the university of Idaho may determine when to grant a  
45 full or partial waiver of fees or tuition charged to nonresident students pur-  
46 suant to reciprocal agreements with other states. In making this determina-  
47 tion, the state board of education and the board of regents of the university  
48 of Idaho shall consider the potential of the waiver to:

- 49 (a) Enhance educational opportunities for Idaho residents;  
50 (b) Promote mutually beneficial cooperation and development of Idaho com-  
51 munities and nearby communities in neighboring states;  
52 (c) Contribute to the quality of educational programs; and  
53 (d) Assist in maintaining the cost effectiveness of auxiliary operations

1 in Idaho institutions of higher education.

2 (2) Consistent with the determinations made pursuant to subsection (1)  
3 hereof, the state board of education and the board of regents of the univer-  
4 sity of Idaho may enter into agreements with other states to provide for a  
5 full or partial reciprocal waiver of fees or tuition charged to students. Each  
6 agreement shall provide for the numbers and identifying criteria of students,

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7 and shall specify the institutions of higher education that will be affected  
8 by the agreement.

9 (3) The state board of education and the board of regents of the univer-  
10 sity of Idaho shall establish policy guidelines for the administration by the  
11 affected Idaho institutions of any tuition waivers authorized under this sec-  
12 tion, for evaluating applicants for such waivers, and for reporting the  
13 results of the reciprocal waiver programs authorized in this section.

14 (4) A report and financial analysis of any waivers ~~of tuition~~ authorized  
15 under this section shall be submitted annually to the legislature as part of  
16 the budget recommendations of the state board of education and the board of  
17 regents of the university of Idaho for the system of higher education in this  
18 state.

19 SECTION 6. That Section 33-3720, Idaho Code, be, and the same is hereby  
20 amended to read as follows:

21 33-3720. PROFESSIONAL STUDIES PROGRAM. (1) It is hereby declared that it  
22 is in the public interest to assist Idaho citizens who wish to pursue profes-  
23 sional studies in the fields of medicine, dentistry, veterinary medicine, and  
24 other health-related areas of study which are not available within the state  
25 by (a) entering into compacts or contractual agreements which make such  
26 courses of study available to Idaho citizens, and (b) providing a mechanism to  
27 provide funds for such Idaho citizens.

28 (2) The state board of education is hereby authorized to enter into loan  
29 agreements with qualified recipients to participate in qualified programs,  
30 which agreements shall include provisions for repayment of the loan on terms  
31 agreed to by the board and the qualified recipient; such repayment agreements  
32 may include provisions for decreasing or delaying or forgiving the repayment  
33 obligation in relationship to the recipient's course of study or agreement to  
34 return to Idaho to practice professionally.

35 (a) A qualified recipient shall be any Idaho student accepted into a  
36 qualified program who meets the residency requirements imposed by section  
37 33-3717B, Idaho Code, and the rules of the state board of education.

38 (b) A qualified program shall be a program enumerated in section  
39 33-3717B(~~57~~), Idaho Code, and any other medical, dental, veterinary medi-  
40 cine, or other health-related program in which participation by Idaho res-  
41 idents has been authorized by the legislature and for which funds have  
42 been obligated by the board pursuant to subsection (3) of this section.

43 (3) The state board of education is hereby authorized to transfer, dis-

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44 tribute or pay such moneys as are available in the professional studies  
45 account to the school, program, or compact providing the course of study pur-  
46 suant to contracts, agreements, or compacts entered into by the legislature or  
47 the state board of education.

48 (4) The state board of education is hereby authorized to adopt all neces-  
49 sary rules, subject to the provisions of chapter 52, title 67, Idaho Code, for  
50 the administration of the professional studies program.

51 SECTION 7. That Section 33-4306, Idaho Code, be, and the same is hereby  
52 amended to read as follows:

1 33-4306. DEFINITIONS. As used in this act, unless the context otherwise  
2 requires:

3 (1) "Eligible postsecondary institution" means a public postsecondary  
4 organization governed or supervised by the state board of education, the board  
5 of regents of the university of Idaho, a board of trustees of a community col-  
6 lege established pursuant to the provisions of section 33-2106, Idaho Code, or  
7 the state board for professional-technical education or any educational orga-  
8 nization which is operated privately and not for profit under the control of  
9 an independent board and not directly controlled or administered by a public  
10 or political subdivision. A public or private educational organization becomes  
11 eligible to participate in category B grant awards if the organization agrees  
12 to match awards granted to each eligible category B student. If an institu-  
13 tion declines to match awards, an eligible student will receive the state por-  
14 tion of the award to that institution.

15 (2) "Educational costs" means student costs for tuition, fees, room and  
16 board, or expenses related to reasonable commuting, books and such other  
17 expenses reasonably related to attendance at a postsecondary educational  
18 institution.

19 (3) "Student" means an individual resident student as defined in section  
20 33-3717B or 33-2110B, Idaho Code, enrolled ~~full-time~~ **full time** and carrying a  
21 sufficient number of credit hours, or their equivalent, to secure an  
22 individual's first degree, certificate, diploma or less, toward which the  
23 individual is working, in no more than the number of semesters, or equivalent,  
24 normally required by the eligible postsecondary institution in the program in  
25 which the individual is enrolled and provided that the baccalaureate degree,  
26 certificate, diploma or lesser program requires at least six (6) months or

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27 equivalent of consecutive attendance. A student engaged in a four (4) year  
28 baccalaureate program shall not be terminated from this scholarship program by  
29 having earned an intermediate degree, certificate or diploma.

30 (4) "Enrollment" means the establishment and maintenance of an  
31 individual's status as a student in an eligible postsecondary institution,  
32 regardless of the term used at the institution to describe such status.

33 (5) "Eligible category A student" means any individual who declares his  
34 intention to matriculate in an eligible postsecondary institution in the state  
35 of Idaho during the educational year immediately following:

36 (a) The individual's graduation from an accredited secondary school in  
37 the state of Idaho; or

38 (b) The individual's graduation from an accredited secondary school out-  
39 side of the United States, provided that the individual graduated from  
40 such school, and the individual and a parent of the individual were resi-  
41 dents of the state of Idaho, within one (1) year of leaving the state due  
42 to the military status or job relocation of a parent.

43 (6) "Eligible category B student" means any student, having completed  
44 secondary school or its equivalent in the state of Idaho, or outside of the  
45 United States if within one (1) year of leaving the state due to the military  
46 status or job relocation of a parent (a) the student completed such secondary  
47 school or its equivalent, and (b) the student and a parent of the student were  
48 residents of the state of Idaho, and who enrolls as a student in an eligible  
49 postsecondary institution in the state of Idaho prior to reaching twenty-two  
50 (22) years of age. To maintain eligibility a student must achieve and maintain  
51 a 2.5 cumulative grade point average while enrolled in an eligible post-  
52 secondary institution. Students meeting the requirements of this subsection  
53 who were not eligible for a grant in the first term of postsecondary education  
54 and who achieve and maintain a 2.5 cumulative grade point average based on a  
55 4.0 system in an eligible postsecondary institution will become eligible for

1 grant payments in subsequent school terms.

2 (7) "Grant" means an award to an eligible student for matriculation in an  
3 eligible postsecondary institution in the state of Idaho.

4 (8) "Educational year" means the period from July 1 of a year through  
5 June 30 of the succeeding year.

6 (9) "Competitive examination" means standardized examination(s) measuring  
7 achievement administered annually on a voluntary basis on a specified date and



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8 at specified locations announced publicly.

9 (10) "High school record," for category A students, will be defined by the  
10 state board of education and the board of regents of the university of Idaho  
11 and may include, but need not be limited to, an individual's rank in his sec-  
12 ondary school class, grade point average, and difficulty of course load taken  
13 as certified by an official of such secondary school, and the individual's  
14 secondary school department as evaluated by at least two (2) officials of such  
15 secondary school.

16 (11) "High school record," for category B students, shall be defined by  
17 the state board of education and the board of regents of the university of  
18 Idaho and may include, but need not be limited to, an individual's secondary  
19 school cumulative grade point average or a composite score on the American  
20 college test (ACT).

21 (12) "Cumulative grade point average" is defined as a student's cumulative  
22 grade point average for all courses taken in grades nine (9) through twelve  
23 (12) and calculated on a grade of A equals 4.0 points, a grade of B equals 3.0  
24 points, a grade of C equals 2.0 points, a grade of D equals 1.0 point and a  
25 grade of F equals 0.0 points.

26 SECTION 8. That Section 33-4403, Idaho Code, be, and the same is hereby  
27 amended to read as follows:

28 33-4403. DEFINITIONS. As used in this chapter:

29 (1) "Accredited institution of higher education" means any public or pri-  
30 vate university, college, or community college in Idaho accredited by the  
31 northwest association of schools and colleges, or any public professional-  
32 technical school operated by the state of Idaho or any political subdivision  
33 thereof; provided, that no institution of higher education shall be eligible  
34 to participate in the program unless it agrees to and complies with program  
35 rules ~~and regulations~~ adopted by the board pursuant to chapter 52, title 67,  
36 Idaho Code; provided, further, that private accredited institutions of higher  
37 education which are controlled by sectarian organizations, and students  
38 attending such institutions, may participate only in the educational need,  
39 off-campus work experience portion of this program and such off-campus employ-  
40 ment may not be located at, or be performed on behalf of, a sectarian or reli-  
41 gious establishment.

42 (2) "Board" means the state board of education.

43 (3) "Program" means the Idaho work study program established pursuant to

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44 this chapter.

45 (4) "Resident student" means an individual as defined in section  
46 33-3717B, Idaho Code.

47 (5) "Student" means an individual currently at an Idaho school enrolled  
48 in a postsecondary degree program, or a state supported professional-technical  
49 program.

50 (6) "Student with educational need" means a post-high school student in  
51 good standing at an accredited institution of higher learning who is desirous  
52 of obtaining work experience related to the student's course of academic  
53 study, in either on-campus or approved off-campus employment, and who meets

1 the institutional requirements for determining educational need; provided,  
2 however, a student whose academic course of study is sectarian in nature or  
3 who is pursuing an educational program leading to a baccalaureate degree in  
4 theology or divinity may not participate in this program.

5 (7) "Student with financial need" means a post-high school student in  
6 good standing at an accredited institution of higher learning who demonstrates  
7 to the institution the financial inability, either through the student's par-  
8 ents, family and/or personally, to meet the institutionally defined cost of  
9 education, and further demonstrates the ability and willingness to work in a  
10 student work study program, according to the stated needs of the institution.  
Statement of Purpose / Fiscal Impact

**STATEMENT OF PURPOSE**

RS 14876

The purpose of this legislation is to grant the State Board of Education the authority to set fees, including tuition fees, for all resident and nonresident students attending Boise State University, Idaho State University, and Lewis-Clark State College. The University of Idaho is not included due to the constitutional charter of the University. The purpose of this legislation is not to increase student fees. Rather, it is designed to clarify the purposes for which those funds may be used. The reason this legislation is needed is that the current

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tuition prohibition sets restrictions on the fees paid by the students and hinders college and universities from being responsive to student needs. Since the fees collected from the students cannot be used for instructional costs, the students cannot have their fees used to support core instructional activities, i.e., faculty salaries, additional faculty, library support, etc.

**FISCAL NOTE**

Under current law, students fees only can be used for designated purposes. The intent of this legislation is not designed to increase student fees, but rather to provide greater flexibility to the state college and universities with respect to the use of fees to fund educational and instructional costs. This legislative proposal is not intended to increase student fees more than otherwise might occur. Accordingly, there will be no fiscal impact to the General Fund.

**Contact**

Name: Gary Stivers, State Board of Education

Phone: 332-1565

Name: Rep. Mack Shirley, Rep. Ann Rydalch

Rep. Jana Kemp, Rep. Rich Wills

Phone: 332-1000

STATEMENT OF PURPOSE/FISCAL NOTE

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**SUBJECT**

Report on the University of Idaho Architecture Program

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies and Procedures, Section III.G.8.b. Instructional Program Discontinuance

**BACKGROUND**

In accordance with *current* Board Policy Section III.G.8.b., discontinuance of academic programs, majors, minors, options, emphases or instructional units with a financial impact of \$250,000 or more per year requires Board approval. These provisions were adopted at the October 2002 Board meeting.

**DISCUSSION**

The University of Idaho (UI) sent a letter dated June 12, 2002 to the Office of the State Board requesting approval for several organizational changes including the closure of the College of Art and Architecture. This college was combined with other disciplines to form a new College of Letters, Arts and Social Sciences. The request was approved via letter from Gary Stivers to former President Hoover.

Representatives from the College of Art and Architecture Foundation (a 501(c) 3 corporation) have expressed concerns about the closure on several occasions and they have made inquiries about whether the process was done in accordance with Board policy. At the request of Board President Hall, a subcommittee was appointed at the December 2003 Board meeting to determine if there was a violation of board policy and to work with the foundation, administration, and the advisory board to see if and how restoration can occur if there was a violation.

**IMPACT**

The foundation believes the College of Art and Architecture should be fully restored as a stand-alone college to maintain the integrity of the discipline and “to recruit and retain quality students and faculty whose major professional identify is reflected in the name of the college” (The Plan for the Restoration, Renewal and Revitalization of the College of Art and Architecture).

**STAFF COMMENTS AND RECOMMENDATIONS**

At the April 22-23, 2004 Board meeting, President Hall recommended a full review of the UI decision to close the College of Art and Architecture at the June 2004 Board meeting. An agenda item was not scheduled at this meeting.

**BOARD ACTION**

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

**REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY**

**Idaho State Board of Education**

**GOVERNING POLICIES AND PROCEDURES**

**SECTION: III. POSTSECONDARY AFFAIRS**

**G. Program Approval and Discontinuance**

**October 2002**

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**8. Instructional Program Discontinuance Policy**

If in conflict, any policies of the Board of Trustees of North Idaho College, or the Board of Trustees of the College of Southern Idaho related to program discontinuance shall supersede the policies set forth herein.

- (b) discontinuance of academic programs, majors, minors, options, emphases or instructional units with a financial impact of \$250,000 or more per year requires Board approval.