

**State Department of Education
Public Schools Agenda**

STATE BOARD OF EDUCATION

November 30-December 1, 2006

Idaho State University, Pocatello

- A. Superintendent's Report, Marilyn Howard**
- B. FY 2008 Public Schools Budget Request, Tim Hill**
- C. Property Transfer: Fremont County SD #215 and Sugar-Salem SD #322, Jana Jones**
- D. Appointment to the Idaho State Curricular Materials Selection Committee, Jana Jones**

A. SUBJECT:

Superintendent's Report

B. SUBJECT:

Presentation of the Public School Budget Request for FY 2008

BACKGROUND:

For the last quarter century, the Public School Budget Coalition has met with the State Superintendent of Public Instruction to develop a public school funding budget request. "Membership" has changed over the years, but the core group – representing school administrators, parents, teachers, and elected school trustees – has remained intact. To prepare the FY 2008 request, the coalition also invited representatives of the Office of the State Board of Education, Office of the Governor/Division of Financial Management, Legislative Services, Idaho Tax Commission, and other related interests, to meet and make specific budget recommendations to Dr. Howard. The FY 2008 Public Schools Budget Request took those recommendations into consideration.

DISCUSSION:

Mr. Tim Hill, Deputy Superintendent of School Support Services, State Department of Education, will answer any questions from the Board regarding the budget request.

BOARD ACTION:

This is an informational item only. No action required.

ATTACHMENTS:

1. FY 2008 Public School Support Budget Request
2. FY 2008 Public School Budget Request Highlights

Public School Support Program Distribution Factor

	2006-2007 Appropriation	2007-2008 Request	Increase / (Decrease)	% Change
1 APPROPRIATIONS / REQUEST				
a. General Fund	\$1,291,587,000	\$1,452,100,700	\$160,513,700	12.4%
b. Endowment / Lands, Lottery Dividend, Misc. Revenues	\$45,866,800	\$53,145,000	\$7,278,200	15.9%
c. Cigarette and Lottery Taxes	5,500,000	7,000,000	1,500,000	27.3%
TOTAL DEDICATED REVENUES	\$51,366,800	\$60,145,000	\$8,778,200	17.1%
TOTAL STATE REVENUES	\$1,342,953,800	\$1,512,245,700	\$169,291,900	12.6%
d. Federal Funds	\$175,000,000	\$215,000,000	\$40,000,000	22.9%
TOTAL REVENUES	\$1,517,953,800	\$1,727,245,700	\$209,291,900	13.8%
2 PROGRAM DISTRIBUTION				
a. Transportation	64,316,700	67,032,300	2,715,600	4.2%
b. Border Contracts	800,000	1,000,000	200,000	25.0%
c. Exceptional Contracts and Tuition Equivalents	5,750,000	6,075,000	325,000	5.7%
d. Program Adjustments	435,000	480,000	45,000	10.3%
e. Salary-based Apportionment	740,842,100	827,991,500	87,149,400	11.8%
f. Teacher Incentive Award (Nat'l Bd Cert)	313,200	166,100	(147,100)	-47.0%
g. State Paid Employee Benefits	132,647,900	153,420,400	20,772,500	15.7%
h. Unemployment	1,250,000	1,250,000	0	0.0%
i. Early Retirement Payout	4,750,000	4,750,000	0	0.0%
j. Substance Abuse	5,500,000	7,000,000	1,500,000	27.3%
k. Bond Levy Equalization Support Program	6,300,000	10,000,000	3,700,000	58.7%
Building Student Success:				
l. Technology Grants	9,800,000	15,000,000	5,200,000	53.1%
m. Idaho Reading Initiative	2,800,000	2,800,000	0	0.0%
n. Math Initiative	0	500,000	500,000	NA
o. Limited English Proficient (LEP)	6,040,000	6,210,000	170,000	2.8%
p. Idaho Digital Learning Academy	1,100,000	1,600,000	500,000	45.5%
Professional Development:				
q. District-directed Professional Development	0	11,250,000	11,250,000	NA
r. Gifted and Talented (Teacher Training)	500,000	1,500,000	1,000,000	200.0%
s. Federal Funds for Local School Districts	175,000,000	215,000,000	40,000,000	22.9%
t. School Facilities Funding (lottery)	10,772,900	20,000,000	9,227,100	85.7%
u. School Facilities Maintenance Match	5,650,000	5,650,000	0	0.0%
TOTAL DISTRIBUTIONS	\$1,174,567,800	\$1,358,675,300	\$184,107,500	15.7%
3 Education Stabilization Funds	\$0	\$0	\$0	NA
4 NET STATE FUNDING AVAILABLE	\$343,386,000	\$368,570,400	\$25,184,400	7.3%
5 SUPPORT UNITS	13,500.0	13,800.0	300.0	2.2%
6 DISTRIBUTION FACTOR (Includes \$300 for Safe Environment Provisions)	\$25,436.00	\$26,708.00	\$1,272.00	5.0%

FY 2008 Public School Budget Request Highlights

Discretionary Funds \$25.2 million

Growth	\$ 7.6 million (300 support units x \$25,436)
Inflation	\$ 6.4 million (\$25,436 x 1.81% x 13,800 support units)
Other (balance to 5%)	\$11.2 million (\$25,436 x 3.19% x 13,800 support units)

Funds necessary for school district and charter school expenses including textbooks, employee medical insurance, utilities, etc.

FY 2007 appropriation	\$25,436 per support unit
FY 2008 request	\$26,708 per support unit (5% increase)

Support Unit (enrollment) Increase: \$19.8 million (\$16.7 million salaries, \$3.1 million benefits)

Enrollment increased by 5,991 in the 2005-06 school year, bringing total fall enrollment to 262,088. Approximately one-third of this increase (2,029) was in charter schools.

- Virtual charter schools will likely continue to attract a significant number of home-schooled students into the public school system.
- Charter school support units increased by 103.5 in the 2005-06 school year and are estimated to increase by approximately 93 in the 2006-07 school year. The four new charter schools represent approximately 40 support units of this increase.

The SDE will be receiving 2006-07 enrollment by mid-November. Preliminary estimates indicate that charter schools will be increasing enrollment by approximately 1,500 students.

Base Salary Increases (5%), Minimum Instructional Salary: \$43.7 million (\$36.9 million salaries, \$6.8 million benefits)

Base Salaries	Current	Request
Instructional	\$23,906	\$25,101
Administrative	\$34,773	\$36,512
Classified	\$19,207	\$20,167
Minimum Instructional Salary	Current	Request
	\$30,000	\$31,000

Staff Allowance Increases: \$39.6 million (\$33.4 million salaries, \$6.2 million benefits)

Increase in Instructional staff allowance from 1.1 to 1.15 which will fund approximately 678 FTE. Increase in Classified staff allowance from 0.375 to 0.400 which will fund approximately 339 FTE. This request is a component of school reform and will allow school

districts and charter schools to hire instructional staff and classroom aides based on local needs.

PERSI Employer Rate Increase: \$4.8 million

Effective in FY 2008, the PERSI employer rate will increase from 10.39% to 11.00%. The state pays into PERSI on behalf of eligible public school employees.

Experience & Education Index: \$125 thousand (\$106 thousand salaries, \$19 thousand benefits)

Request based on FY 2006 actual indexes. The Instructional index has stabilized during the last few years and is not expected to change significantly.

District-Directed Professional Development: \$11.25 million

Represents cost of three days of instructional salaries and benefits for training in areas of focus, including math, and costs associated with state response of federal requirement for recruiting highly qualified teachers in low-performing schools. This is a component of school reform.

Gifted / Talented: \$1 million

To provide training for advanced placement teachers to teach dual credit classes. This is a component of school reform.

Math Initiative: \$500 thousand

Targeted pilot program to develop a math approach for primary grades while the more general professional development funds are used to train teachers for better math instruction in the middle and upper grades. This is a component of school reform.

Idaho Digital Learning Academy (IDLA): \$500 thousand

Additional funds requested for expected increase in student enrollment, which addresses school reform by making classes available to students in low-performing and rural schools.

Technology Grants: \$5.2 million

Additional funds for high-speed internet access (\$2 million), computer replacement (\$2.2 million), and integration/training (\$1 million).

Transportation: \$2.7 million (\$1.2 million for inflation @ 1.81%, plus \$1.5 million for estimated FY 2008 reimbursements)

Includes funding for provisions of SB 1443 (2004 session) as outlined in Idaho Code 33-1006 (7) for reimbursable pupil transportation costs, and for internet connection, electronic and computer equipment, toll-free telephone service, and education-related visits for home-based virtual schools.

Border Contracts: \$200 thousand

Increase in state funding due to elimination of school maintenance & operations property tax.

Exceptional Contracts / Tuition Equivalency: \$325 thousand

Additional funds required due to increase in exceptional child enrollment and excess cost rate.

Teacher Incentive (National Board Certification): -\$147 thousand

Decrease in number of eligible teachers from 132 to 70.

Safe & Drug-Free: \$1.5 million

This request includes an estimated \$4.7 million from FY 2008 taxes on tobacco products and lottery winnings, and \$2.3 million carryover of income taxes on lottery winnings.

Bond Levy Equalization Support Program: \$3.7 million

Increased funding for public school district bond subsidy. Per HB 743 (2006 Legislative Session), this program will be funded by taxes on tobacco products, which will be transferred annually to the general fund, and then appropriated to public schools.

Limited English Proficient (LEP): \$170 thousand

Funding to increase the amount per LEP student from \$230 to \$300. Estimated number of LEP students is 18,200 which is a decrease from 23,000 (FY 2007), due to clarification of classification.

Lottery (School Facilities): \$9.2 million

Increase due to estimated annual dividend (\$500 thousand), carryover from previous year (\$3 million), and fund shift of the Bond Levy Equalization Support Program to taxes on tobacco products.

C. SUBJECT:

Petition to Transfer Property from Fremont County Jt. School District No. 215 to Sugar-Salem Jt. School District No. 322

BACKGROUND:

A petition submitted under the provisions of §33-308, Idaho Code, to transfer approximately one square mile of land from Fremont Jt. School District No. 215 to Sugar-Salem Jt. School District No. 322 has been received in the Department of Education. Also received were comments from both school districts. The request is in compliance with the provisions of Section 33-308, Idaho Code, in that the area is less than fifty square miles, no school is operated in the area, and the property is contiguous to Sugar-Salem Jt. School District.

DISCUSSION:

Fremont County Jt. School District opposes the transfer; Sugar-Salem Jt. School District is in favor. Copies of the petition, letters and map are enclosed. Approximately five children reside in the area proposed to be transferred.

Pursuant to the rules adopted by the State Board, the Department of Education appointed a hearing officer. A copy of all information received was forwarded to said hearing officer and a hearing was held on September 13, 2006. The hearing officer recommended that the petition be approved. This recommendation is attached.

RECOMMENDATIONS:

The State Department of Education does not have a recommendation.

BOARD ACTION:

A motion to approve the hearing officer's recommendation that the petition be approved

Moved by _____ Seconded by _____ Carried Yes ____ No ____

ATTACHMENTS:

1. Petition **
2. Letter from Sugar-Salem Jt. School District No. 215 **
3. Fremont County Jt. School District No. 215 Board of Trustees Meeting Minutes **
4. Maps **
5. Hearing Officer's Recommendation

***** Note: These materials were not received in electronic form. For more information, contact Deb Stage, 208-332-6853.***

RICHARD A. CARLSON, Hearing Officer
P.O. Box 21
Filer, ID 83328
Telephone and fax: (208) 326-3686

BEFORE THE IDAHO DEPARTMENT OF EDUCATION

In re: Petition to Change School District)	
Boundaries,)	
)	
Shawn Walters, <i>et al</i> ,)	RECOMMENDED ORDER
)	
Petitioners,)	
)	
v.)	
)	
Sugar- Salem School District No. 322 and)	
Fremont County School District No. 215,)	
)	
Respondents.)	

This matter was heard on September 13, 2006 before Hearing Officer Richard A. Carlson. Shawn Walters appeared as a representative of the Petitioners. Superintendent Garry Parker appeared on behalf of School District 215. Superintendent Alan Dunn appeared on behalf of School District 322.

1. NOTICE

This is the recommended order of the Hearing Officer under DAPA 04.11.01.720. It will not become final without action of the agency head. Any party may file a petition for reconsideration of this recommended order with the Hearing Officer issuing the order within fourteen (14) days of the service date of this order. The Hearing Officer issuing this recommended order will dispose of any petition for reconsideration within twenty-

one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3), Idaho Code.

Within twenty-one (21) days after (a) the service date of this recommended order, (b) the service date of a denial of a petition for reconsideration from this recommended order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this recommended order, any party may in writing support or take exceptions to any part of this recommended order and file briefs in support of the party's position on any issue in the proceeding.

Written briefs in support of or taking exceptions to the recommended order shall be filed with the agency head (or designee of the agency head). Opposing parties shall have twenty-one (21) days to respond. The agency head or designee may schedule oral argument in the matter before issuing a final order. The agency head or designee will issue a final order within fifty-six (56) days of receipt of the written briefs or oral argument, whichever is later, unless waived by the parties or for good cause shown. The agency head (or designee of the agency head) may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order.

2. WITNESSES AND EXHIBITS

A. The following persons testified at the hearing:

1. Shawn Walters
2. John Clinger
3. Kendall Berry
4. Phil Baker

B. The following exhibits were admitted at the hearing:

1. June 11, 2006 cover letter from Shawn Walters to Alan Dunn including a two- page Petition to Change District Boundaries along with the following attachments as exhibits:
 - A. Map identifying the district boundaries as they are currently;
 - B. Map outlining the district boundaries as they would be if the excision/annexation is approved;
 - C. A document labeled “Reasons for submitting this Petition”
 - D. Copy of District 215’s new “Busing Resolution”;
 - E. Copy of newspaper article referring to District 215’s new “Busing Resolution”;
 - F. Copy of newspaper article referring to District 322’s response to District 215’s new “Busing Resolution”.
- 2(a). July 7, 2006 FAX transmittal from Garry parker to Deb Stage with minutes of June 15, 2006 Board Meeting.
- 2(b). June 16, 2006 letter to State Board of Education from District 215 enclosing copy of Petition.
3. District 322’s July 5 and July 12, 2006 letters of response to the State Board of Education.
4. Copy of document labeled “District 322’s policy regarding other Districts picking up students within the boundaries of District 322”.
5. Copy of newspaper article regarding September 13th, 2006 hearing on petition.
6. Summary of property values of all taxable property included in Districts 322 and 215.
7. Debt schedule for District 215.
8. Copy of document labeled “Typical Questions and Answers regarding the proposed excision/ annexation” along with copies of two clarifying e-mail communications.
9. Copy of document labeled “ Property Values of All Property Included in Annexation Petition”.
- A. Written testimony of Phil Baker in opposition to the proposed boundary change.

3. PROCEDURAL BACKGROUND

On or about June 12, 2006 Mr. Shawn Walters filed a “Petition to Change District Boundaries” with School Districts 322 and 215 requesting an alteration of the Districts’ boundaries. The effect of the change would be to remove an approximately one square mile area adjacent to the City of Newdale from the Fremont School District 215 and add it to the Sugar- Salem School District 322. Maps of the area proposed for change are in the record marked Exhibits 1(A) and 1(B). The legal description of the area is contained in Exhibit 1 at page one.

In this case, after having received the petition, the Board of School District 215 voted to “send the petition to the state Board of Education for their consideration, if noted there are no safety issues in the students being transported...”.¹

The Board of School District 322 unanimously endorsed the petition and recommended that the State Board of Education approve the requested boundary change.

Representatives of the School Districts, the Petitioners, and the Hearing Officer met for an informal pre-hearing conference on August 23rd to work out the schedule for the hearing, some rules about exchanging witness lists and an exchange of documentary evidence that the parties intended to offer as exhibits. Some other issues were addressed during the pre-hearing conferences i.e. the order of the presentation of witness testimony.

Notice of the public hearing regarding the petition was published in a newspaper of general circulation in the area (the *Rexburg Standard Journal*) on August 26, 2006. The hearing was held on September 13, 2006 in the Teton School and was audio taped with

¹ Ex. 2(a), p.3. In the context of the rest of the minutes of the meeting at which that vote was made it appears that the Board was making an equivocal endorsement of the petition. The Board wanted it noted however, that it was not acknowledging any valid child safety concerns described in the petition or otherwise.

the consent of all parties. The original audio- tapes of the hearing will be kept by the Hearing Officer.

At the conclusion of the receipt of testimony and evidence the parties were invited to present oral or written statements (arguments) in support of their respective positions but none did.

This Recommended Order is based on a careful review of the record including the documentary evidence and oral testimony presented at the hearing as well as a review and application of law. This Recommended Order constitutes the Hearing Officer's analysis of the relevant issues, his findings of fact, and his conclusions of law.

4. APPLICABLE LAWS, REGULATIONS AND STANDARDS

Idaho Code 33-308 and IDAPA 08.02.01.050 provide citizens the right to petition the Board of Education for alterations of school district boundaries. That statute and rule require an analysis of two issues:

1. Will the excision as proposed leave a school district with a bonded debt in excess of the limit prescribed by law;

2. Is the excision and annexation in the best interests of the children residing in the area described in the petition. In determining the best interests of the children, the hearing officer shall consider all relevant factors, which may include:

- i. The safety and distance of the children from the applicable schools;
- ii. The views of the interested parties as these views pertain to the interests of the children residing in the petition area;
- iii. The adjustment of the children to their home and neighborhood environment;
- iv. The suitability of the school(s) and school district which is gaining students in terms of capacity and community support.

IDAPA 08.01.01.050 makes the Idaho Rules of Administrative Procedure of the Attorney General, IDAPA 04.11.01 et seq. applicable to hearings on petitions for school district boundary alterations. The Petitioners in this case have the burden of presenting evidence on the two issues described above and proving their “case” by a preponderance of evidence.

5. WILL THE ALTERATION LEAVE SCHOOL DISTRICT 215 WITH A BONDED DEBT IN EXCESS OF THE LIMIT PRESCRIBED BY LAW?

The proposed change of district boundaries will not leave School District 215 with bonded indebtedness in excess of the limit prescribed by law. That finding and conclusion is based on the following:

- a. A summary of market values of the property that both districts rely on as a tax base is contained in Exhibit 6 which shows that the value of taxable real property in District 215 exceeds one billion dollars (\$1,000,000,000.);
- b. The oral testimony of Mr. Walters explaining Exhibit 7- a “Net Debt Service Schedule for District 215”- to the effect that District 215’s indebtedness is approximately sixteen million dollars (\$16,000,000.);
- c. The oral testimony of Mr. Baker – a member of the School District 215 Board – confirming that his District’s bonded indebtedness is approximately sixteen million dollars (\$16,000,000.)²

The District is allowed a bond indebtedness no greater than five (5) per-cent of the previous year’s total actual (not adjusted) value of its property tax base. Subtracting the market value of the property in the area proposed for excision (approximately \$1,400,000) from School District 215’s tax base will leave it very substantially below the upper limit of indebtedness imposed by statute.

² Exhibit ‘A’ is a written copy of the oral testimony Mr. Baker gave (almost, but not quite, matching his oral testimony) and it contains a reference to the District’s bonded indebtedness of sixteen million dollars (\$16,000,000.)

**6. IS THE EXCISION AND ANNEXATION IN THE BEST INTERESTS
OF THE CHILDREN RESIDING IN THE AREA DESCRIBED
IN THE PETITION?**

IDAPA 08.02.01 Rule 50 requires consideration of “all relevant factors” which have a bearing on the “best interests of the children residing in the area described in the petition”. The Rule gives some examples of factors that can be considered but is not an exclusive list. Mr. Walters written statement explaining the reasons for the petition when he submitted it touches on most, if not all, of the factors set out in Rule 50 and are all relevant in considering the “best interests of the children”. He wrote, in part:

“In making this request we have not considered the relative strengths and qualities of the two districts; we simply consider ourselves to be a part of Sugar-Salem School District 322 community. We also believe that this change will be in the best interest of the five (5) school age children currently affected, and we believe the impact to both districts will be minimal. The following outlines our reasoning for this request:

*1. **District 322 on three sides.** The one-mile square as defined in the Petition is bordered by District 322 on three sides, the north, east, and south sides. The current boundaries create an almost island effect with the homes on this short stretch. This does not seem logical.*

*2. **Center mile originally undeveloped.** When the district boundaries were realigned in the 1950s, there were no homes located on this one-mile stretch of 8000 East. Residents of the homes to the north and to the south requested and were allowed to be included in District 322, but there were no residents to represent the one-mile stretch in the middle. Fifty years ago, including this one-square mile within the boundaries of District 215 impacted no one. Little did those involved in this decision realize that they were creating a hardship on those who would build there in the future. Placing this stretch within the boundaries of School District 322 would square up the boundaries, allowing the students in the middle segment to attend school (riding the same bus) with their neighbors living to the north and to the south.*

*3. **In the midst of a 322 Community.** All of the seven homes to the south, and all of the four homes north, and all of the 140 homes to the east including the City of Newdale that surround this one-mile stretch are included in District 322. The residents residing in the eight homes included in this one-square mile are a part of the surrounding community that includes over 160 homes. With the exception of these eight homes, all of the residents are designated to attend school in District 322.*

*4. **All students attend District 322.** Although this one-mile stretch is currently in District 215, none of the students living on this road have gone to District 215; all students have gone to District 322. (Two homes located next to highway 33 but still in this one-mile stretch did send students to District 215 in the 1960's, but began sending*

their children to District 322 in the 70's because according to them "that's where their friends attended." Every student in this one-mile block since that time has attended school in District 322.)

5. District 215's New Busing Policy. Although Idaho has an "Open Enrollment policy" allowing students to attend school in the district they choose, School District 215 has recently enacted a busing agreement with District 322 that does not allow a District 322 bus to pick up students residing within the borders of District 215 even if the District 322 bus travels directly in front of the home. As of this fall, in order for our children to attend the same school as their neighbors and surrounding community, we will have to load our children in the car and drive them either one half mile to the north, or to the south to catch a district 322 bus within the boundaries of District 322. Allowing the children to walk this 1/2 mile poses an increased safety risk, and driving them each morning and afternoon is very inconvenient and unnecessary. All of this makes no sense since a District 322 bus passes directly in front of our homes as it picks up and drops off students living both north and south of this one-mile stretch and no District 215 bus travels this road. A District 322 bus has been picking up all the students on this one-mile stretch since homes started being built here in 1980. A District 322 bus has been picking up students on the homes built prior to that on Highway 33 since the 1970's. (District 215's new policy on other Districts busing students within District 215 boundaries is outlined in Exhibit D. Also attached as Exhibit E and Exhibit F are two articles found in the Standard Journal reporting on District 215's new busing policy.)

6. Distance. The distance from the center of this one-mile stretch to the Sugar Salem High School is 7.5 miles. The distance from the same location to the Fremont High School is 10 miles.

7. Annual Petition. Although we consider ourselves to be a part of the School District 322 community and our children have not attended school anywhere else, we must annually petition District 322 Board of Trustees each February 1 to assure that our children will be allowed to attend District 322 for the following school year. While we appreciate the district's willingness to grant our yearly requests, granting this request for a change in district boundaries would eliminate this annual task and the possibility of denial. Removing this constant "uncertainty" would definitely be in the best interest of the children. The children's concern over being allowed to attend District 322 is even more heightened with District 215's new busing policy.

8. Grass Roots Support. Of the fifteen eligible voters that reside within the area of the Petition, fourteen have been contacted and all fourteen have signed the Petition To Change District Boundaries. **9. Minimal effect to tax base.** As no students living in this one-square mile attend school in District 215, there will be no reduction of students. We do recognize that District 215 will lose tax base on the eight homes and approximately one square mile of agricultural land. Given the massive size of District 215's tax base verses the relatively modest tax base of District 322, we think an insignificant change in tax base should not be a deciding factor to the request. The following data shows the relative size comparisons of the two Districts' tax bases. Note that District 215's 1999 tax base was five (5) times larger than District 322's; however, District 215's increase (growth in tax base) from 1999 to 2004 was nine (9) times larger than District 322's increase (\$200,369,061 vs. \$22,040,275). Given the current growth in Fremont County, there appears to be no reason that this tremendous expansion of tax base in Fremont

County will not continue. As District 215's tax base continues to race upward, District 215 will never miss the tax base derived from this one-square mile.

	<i>1999 Tax Base</i>	<i>2004 Tax Base</i>	<i>Increase</i>	<i>% Increase</i>
<i>Dist. 215</i>	<i>\$682,074,692</i>	<i>\$882,443,753</i>	<i>\$200,369,061</i>	<i>29.4%</i>
<i>Dist. 322</i>	<i>\$141,381,578</i>	<i>\$163,421,853</i>	<i>\$22,040,275</i>	<i>15.6%</i>

(Data obtained from Idaho Department of Education Website, "Tax levies for school purposes")

*As Petitioners, we trust that the Board of Trustees of both Districts will recognize that residing in the far southeast corner of District 215 and being almost completely surrounded by District 322, we strongly perceive ourselves as being a part of the District 322 community. We look forward to being "full patrons" of District 322 and we trust that both Districts will focus on what is best for the students and the families involved."*³

Most of the statements quoted above are uncontroverted by other evidence and appears to represent the prevailing sentiment in the affected community. However, there are several that should be addressed in light of other evidence in the record:

1. Mr. Walters' reference to a "bussing agreement" in point No.5 above is somewhat of a mischaracterization- it would be more accurate to say School District 215 implemented a new bussing policy which prohibits District 322 busses from picking students up inside District 215 territory. While there appears to have been some attempt by the two school boards to work out an agreement that would have allowed District 215 busses to pick up children in District 322⁴ at their doorsteps, there was ultimately no agreement. Absent an agreement, children cannot be picked up in front of their homes and will have to walk to or be dropped off at a designated bus stop some distance from where they have been picked up.

Mr. Berry's description of the traffic in the area- some of it including heavy truck traffic- along with his testimony about reduced visibility on at least one stretch of road in

³ See Exhibit 1-C.

⁴ See testimony of Mr. Baker and Exhibit 'A'.

the area where children might walk or get on a bus supports Mr. Walters' conclusion that District 215's new policy will increase the safety risk to schoolchildren.

Mr. Baker pointed out that the travel distance to school from the middle of the affected area to the elementary school will actually increase if the proposed annexation were to occur. However, if students can get to their stop and then on the bus safely a school bus is the safest form of transportation for getting children to school – compared even to walking, bicycling, riding with their parents or driving themselves or with friends.⁵ When students are more likely to drive themselves to school, i.e. during their high school years, the distance they will have to drive will be shorter (and presumably safer) if the excision/annexation is approved. All things considered, District 215's new bussing policy imposes a marginally greater safety risk on the students in the area who attend District 322 schools and who will no longer be picked up directly outside their homes.

CONCLUSION

Based on the evidence in the record this Hearing Officer finds that the Petitioner has proved , by a preponderance of evidence, that:

- (1) the excision of the subject property, as proposed, will not leave the Fremont School District 215 with a bonded debt in excess of the limit prescribed by law;
- (2) the excision and annexation, as proposed, is in the best interests of the children residing in the area described in the petition.

Based on the discussion, analysis, findings and conclusions of law set forth above this

⁵ According to safety statistics Mr. Walters provided in his oral testimony.

Hearing Officer recommends that the Board of Education approve this pending petition.

DATED this ____ day of October, 2006.

Richard A. Carlson, Hearing Officer

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the ____ day of October, 2006, he served a true and correct copy of the foregoing document upon the following persons by U.S. Mail, postage pre-paid:

Shawn Walters
P.O. Box 177
Newdale, ID 83436

Garry Parker- Superintendent
School District No. 215
147 N. 2nd W.
St. Anthony, ID 83445

Alan Dunn- Superintendent
School District No. 322
P.O. Box 150
Sugar City, ID 83448

Deb Stage
Idaho Department of Education
P.O. Box 83720
Boise, ID 83720-0027

Richard A. Carlson

D. SUBJECT:

Appointment to the Idaho State Curricular Materials Selection Committee

BACKGROUND:

The Administrative Rules of the Idaho Board of Education, IDAPA 08.02.03.128, describe the membership of the Idaho State Curricular Materials Selection Committee. Membership on the committee is for a term of five years with the exception of the representatives from the State Department of Education and the Division of Vocational Education, whose terms are for one year each.

DISCUSSION:

Currently there are four openings on the Selection Committee for the state's four colleges of education. The open position being recommended for appointment at this time is for the University of Idaho. This recommendation is for a complete five-year term.

This leaves one Boise State University position, one Lewis-Clark State College, and one Idaho State University position not filled. Applications for these positions will be submitted by the end of the year and presented at the February Board meeting.

RECOMMENDATION:

The State Department of Education recommends the appointment of Dr. Rodney McConnell, College of Education, University of Idaho to represent one of the state's four colleges of education. This appointment is for a period of five years.

BOARD ACTION:

The State Board of Education moves to approve the request for an appointment to the Idaho State Curricular Materials Selection Committee as submitted.

Moved by _____ Seconded by _____ Carried Yes ____ No ____

ATTACHMENTS:

1. Rodney McConnell letter of interest and professional vitae

October 10, 2006

Val Fenske, Coordinator
Curriculum & Technology Center, B-25
Idaho Department of Education
PO Box 83720
Boise, ID 83720-0027

Dear Ms. Fenske:

I am writing to express my interest in an appointment to the Idaho Curricular Materials Selection Committee. Though I am new to Idaho and the University of Idaho, I have public school and university teaching experience in both Wyoming and Texas. My public school background is in secondary language arts and my university teaching background includes a wide variety of content and pedagogy courses. While my current research is focused on the nature of instruction in language arts, my past research interests have focused on both reading and writing curricula for secondary schools.

If appointed, I look forward to working with Dr. Howard and the Idaho State Board of Education in the selection of curricular materials.

I appreciate your consideration.

Sincerely,

Rodney McConnell, Ph.D.
College of Education
University of Idaho
PO Box 443082
Moscow, ID 83844-3080
208-885-7637
rmac@uidaho.edu

Rodney K. McConnell

Address

PO Box 9201
Moscow, Idaho
208-885-3576 (University of Idaho office)
208-835-4021 (Residence)
208-874-3577 (Cell)
rmac@uidaho.edu

Educational Background

- 2006 Doctor of Philosophy in Education. University of Wyoming, Laramie, Wyoming. Curriculum and Instruction.
- 1997 Master of Arts in Education. University of Wyoming, Laramie, Wyoming. Curriculum and Instruction.
- 1994 Bachelor of Arts in Education. University of Wyoming, Laramie, Wyoming. English Education.

Honors and Awards

- 2003 Van Dyke Scholarship, Graduate Scholarship, College of Education, University of Wyoming
- 2002 Faculty Award for Outstanding Service to the Educational Profession, College of Education, University of Wyoming

Teaching Experience

- 2006 - University of Idaho, College of Education, Assistant Professor, Curriculum and Instruction

Teaching Assignment

ED 302: Curriculum, Instruction, and Assessment Strategies

Other Responsibilities

Advisement of Undergraduate Students
Service on Graduate Committees

- 2004 – 2006 University of Houston – Victoria, School of Education and Human Development
Assistant Professor, Curriculum and Instruction

Teaching Assignment

C&I 3323: Instructional Design
RDG 4362: Workshop Approach to Reading and Writing (Online)
C&I 4300: Generic Secondary Teaching Methods (Online)
FED 3321: Foundations of Education
C&I 6314: Classroom Practice, Process, and Procedure (Online)
ESE 4303: Early School Education Student Teaching
MSE 4303: Middle School Education Student Teaching
SED 4303: Secondary School Student Teaching

Other Responsibilities

Advisement of Undergraduate and Graduate Students
Teaching Excellence Committee
Student Appeals Committee

- 2000-2004 University of Wyoming, College of Education, Temporary Assistant Lecturer/PDS Clinical Faculty
- Teaching Assignment
EDST 2000: Becoming a Teacher
EDST 3000: Teacher as Decision Maker
EDEL 4500: Residency in Teaching
EDSE 3540: Teaching Reading in the Content Area
EDCI 5870: The Role of Education in American Democracy
EDCI 4140/5140: Storytelling
EDCI 5959: Wyoming Leadership Associates Program
- Other Responsibilities
Coordination of School/University Partnership activities in Carbon County School District #1, Carbon County, Wyoming
Advisement of undergraduate students
- 2004 Laramie County Community College, Laramie Campus, Adjunct Faculty
- Teaching Assignment
EDFD 2100: Educational Psychology
- 2003-2004 University of Wyoming Casper Center, Temporary Assistant Lecturer
- Teaching Assignment
EDCI 4140/5140: Storytelling
EDCI 4160/5160: Trends in Children's Literature
- 2000-2003 Western Wyoming Community College, Rock Springs, Wyoming, Adjunct Faculty
- Teaching Assignment:
LIBS 2280 Literature for Children
EDFD 2040: Foundations of Learning
EDCI 2041: Practicum 1B, Foundations of Learning
EDFD 2020: Foundations of Education
EDCI 2021: Practicum 1A, Foundations of Education
LIBS 2140: Storytelling
- 1999-2000 McKinney High School, McKinney Independent School District, 1 Duval Street, McKinney, Texas.
- Teaching Assignment:
English I (9th grade) Pre-AP
English I (9th grade)
- 1999-2000 Collin County Community College, Plano, Texas, Adjunct Faculty, Division of Humanities and Social Sciences, Sheril Cobb, Coordinator.
- Teaching Assignment:
Spring 2000, English 1302
Fall 1999, English 1301
- 1998-1999 University of Wyoming, College of Education. Assistant Temporary Lecturer, Department of Secondary Education, Dr. Norm Peterson, Chair.

Teaching Assignment:

EDUC 4250: Becoming a Reflective Practitioner: Specific Pedagogy in English

EDUC 4000: Becoming a Reflective Practitioner: Practicum

LIBS 4140/5140: Storytelling

EDUC 2000: Becoming a Teacher

LIBS 5120: Young Adult Fiction

Summer 1999

EDCI 5020: Curriculum Workshop in Language Arts

EDCI 5320: Writing Process in the Classroom

LIBS 5120: Young Adult Fiction

Other Responsibilities

Committee work as needed; Advisement of undergraduate education students

1997 (Fall) University of Wyoming, College of Education. Assistant Temporary Lecturer. Division of Lifelong Learning and Instruction, Dr. Pat McClurg, Chair.

Teaching Assignment

EDUC 4250: Becoming a Reflective Practitioner: Specific Pedagogy in English

EDUC 4000: Becoming a Reflective Practitioner: Practicum

LIBS 4140/5140: Storytelling

Other Responsibilities

Coordinator of Lab School Writing Center

Advisement of undergraduate English education majors

1997 (Summer) University of Wyoming, College of Education, Temporary Assistant Lecturer. Division of Leadership and Human Development, Dr. Dee Hopkins, Chair.

Teaching Assignment

LIBS 4140/5140: Storytelling

For the 1998/99 academic year and the Fall 1997 semester, I was on unpaid leave of absence from Albany County School District Number One, Laramie, Wyoming where I taught grades 10-12 English classes.

1994-1998 Laramie High School, Albany County School District Number One, Laramie, Wyoming.

Teaching Assignment (Grades 10-12)

English 10

English 10 & Reading

Survey of American Literature

Short Story

Writer's Workshop

Science Fiction Literature

Reading Skills

Developmental Reading

Other Responsibilities

Student Council Sponsor (1995-1997)

Co-chair, Steering Committee, North Central Association School Accreditation

Building Intervention Team

Multi-Cultural Steering Committee

Curriculum Development Committee

Presentation and Communication Committee

1994-1998 Summer Employment
University of Wyoming, Student Educational Opportunities, Upward Bound/Math
Science Initiative Project. Janet Kumerfeldt, Academic Coordinator.

Teaching Assignment (Grades 9-11):

English (Writing and Literature)

Research Skills

Speaking and Presentation Skills

Scientific Journal Writing

Other Responsibilities

Symposium Coordinator

Field Trip Sponsor

Student Advisor

Study Hall Supervisor

Assistant Academic Coordinator (1997)

Publications

Middle school students, teachers, and parents: contracting for success. *Journal of instructional psychology*. vol. 24, no. 4. 1997, December. p. 246.

International/National Papers and Presentations

Pouring Philosophical Piers: Grounding PDS Faculty and Students in the Agenda for Education in a Democracy. 2002 Professional Development Schools National Conference, Orlando, Florida, March, 2002.

Recruitment and Retention: Building and Maintaining a PDS Alliance in Higher Education. 2002 Professional Development Schools National Conference, Orlando, Florida, March, 2002.

Taking the Next Step: Growing Our Own PDS Faculty. 2001 National Network for Educational Renewal Annual Conference, September, 2001.

Making It Up as We Go: Successes and Struggle of Three New Professional Development Sites. 2001 National Network for Educational Renewal Annual Conference, September, 2001.

Ancestral Archives: Legacies of Family Lore. National Council Teachers of English 1997 Spring Conference, Charlotte, North Carolina.

Operating a Writing Center for Pre-School to Junior High. 21st Conference on English, University of Wyoming, June 1993.

Regional Papers and Presentations

Playing with Reader Response in Poetry. A Conference for Teachers, Fully Engaged: Enhancing Learning Through Play and Interplay, The Inland Northwest Council of Teachers of English and the Northwest Inland Writing Project, Moscow, ID, October 5, 2006.

Rosenblatt and Probst Meet Chez Salazar: Alternatives to the Traditional Literature Classroom. Wyoming Interdisciplinary Conference. October 1996.

State and Local Papers and Presentations

The Reading and Writing Classroom. Bridges to Literacy Conference, Cheyenne, Wyoming. June, 1997.

Time, Ownership, and Response for Writers. Wyoming Writing Project, Cheyenne, Wyoming. June, 1997.

What Should a Writing Classroom Look Like? Wyoming Educational Leadership Conference, Gillette, Wyoming. October, 1996.

Writing in Multiple Genres. Wyoming Writing Project. Gillette, Wyoming. March, 1996.

Professional Organizations

Association for Supervision and Curriculum Development
International Reading Association
National Council of Teachers of English
Phi Kappa Phi

Service and Leadership

Member, Secondary Partners Advisory Board, Wyoming School/University Partnership (1995-96)
Member, Building Intervention Team, Laramie High School (1996-98)
Member, Multi-Cultural Steering Committee, Albany County School District Number One (1995-97)
Member, 25th University of Wyoming Conference on English Organization Committee
Co-chair, Laramie High School Steering Committee, North Central Accreditation Association (1996-97)
Sponsor, Laramie High School Student Council (1996-98)
Member, Curriculum Development Committee, Laramie High School (1996-97)
Judge, Wyoming State Science Fair (1997, 1998)
Member, 2000-2010 Language Arts Textbook Selection Committee, McKinney High School, McKinney ISD, McKinney, Texas (1999-2000)
Facilitator, Laramie Junior High School Book Study Group, Spring 2002
Facilitator, 2002 Rawlins Wyoming Leadership Associates Program
Faculty Advisor, Phi Delta Kappa, University of Idaho, College of Education, 2006 -