

STATE BOARD OF EDUCATION SPECIAL MEETING
Friday, November 2nd, 2007 – 1:00 p.m. MDT; 12:00 p.m. PDT
Len B. Jordan Building
650 W. State Street, Rm 307
Boise, Idaho



Teleconference Number: (877) 214-0402
Participant Code: 154809

EXECUTIVE SESSION (Closed to the Public).

Pursuant to Idaho Code Section 67-2345(1), the State Board of Education may meet in executive session to discuss one or more of the following:

- (a) to consider hiring a public officer, employee, staff member or individual agent. This paragraph does not apply to filling a vacancy in an elective office;
- (b) to consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, or public school student;
- (c) to conduct deliberations concerning labor negotiations or to acquire an interest in real property which is not owned by a public agency;
- (d) to consider records that are exempt by law from public inspection;
- (f) to consider and advise its legal representatives in pending litigation or where there is a general public awareness of probable litigation.

EXECUTIVE SESSION ITEMS MAY BE DISCUSSED AND ACTED UPON, IF APPROPRIATE, IN OPEN SESSION.

STATE BOARD OF EDUCATION

1. Approval of Pending Rules Governing the Opportunity Scholarship Program, IDAPA 08.01.13
2. Approval of Pending Rules Governing the Promise Scholarship Program, IDAPA 08.01.05
3. Approval of Pending Rule Governing Thoroughness (language cleanup), IDAPA 08.02.03
4. Approval of Pending Rule Governing Thoroughness, Incorporated by reference - PLD's and Cut Scores, IDAPA 08.02.03
5. Approval of Pending Rules Governing Charter Schools, IDAPA 08.02.04
6. Approval of Grant Application – School Improvement Fund of Elementary and Secondary Education Act
7. LCSC Property Acquisition – 10th Ave
8. LCSC Property Acquisition – 7th Street

9. FY2008 CWI Budget Transfer
10. FY2009 CWI Budget Request

STATE DEPARTMENT OF EDUCATION

1. Certification Rules – Temporary Rule – Gifted and Talented
2. Certification Rules – Temporary Rule – Literacy
3. Certification Rules – Temporary Rule – School Nurse and Provisional Endorsement School Nurse
4. Certification Rules – Temporary Rule – Library Media Specialist
5. Certification Rules - Approval Of Pending Rules – Docket number 08-0202-0701 - Adding Definition to Requirements for Professional Growth
6. Certification Rules - Approval Of Pending Rules – Docket number 08-0202-0702 - Out-of-State Certificate Holders Praxis II Waiver
7. Certification Rules - Approval Of Pending Rules – Docket number 08-0202-0706 - Education Requirements to Begin the Alternative Authorization Qualified Paraprofessionals
8. Certification Rules - Approval Of Pending Rules - Docket number 08-0202-0708 – Three Year Interim Certificate
9. Certification Rules - Approval Of Pending Rules – Docket number 08-0202-0703 - Extension onto Designation Period for Pupil Personnel Services
10. Certification Rules - Approval Of Pending Rules – Docket number 08-0202-0704 - Certification to Meet Special Needs of Virtual Schools and Distance Education and Public School/Postsecondary Partnerships
11. Certification Rules - Approval Of Pending Rules – Docket number 08-0202-0705 - Sunset Idaho Technology Competency Assessment
12. Approval Of Pending Rule - Docket number 08-0202-0707 – Accreditation
13. Update On Math Standards Rule

OTHER / NEW BUSINESS

If auxiliary aids or services are needed for individuals with disabilities, please contact the Board office at 334-2270 no later than two days before the meeting. While the Board attempts to address items in the listed order, some items may be addressed by the Board prior to or after the order listed.

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SUBJECT

Approval of the Pending Rules Governing the Opportunity Scholarship Program,
IDAPA 08.01.13

REFERENCE

November 30 - December 1, 2006	This topic was approved at the November 30, 2006 Board meeting. The Board requested additional information.
January 8, 2007	The Board approved the legislation for the Opportunity Scholarship Program and authorized staff to forward the legislation to the Division of Financial Management.
June 13-14, 2007	The Board Approved Temporary and Proposed rules governing the Opportunity Scholarship Program.

APPLICABLE STATUTE, RULE, OR POLICY

Title 33, Sections 5601-5608, Idaho Code

BACKGROUND

The Student Aid Taskforce, formed during the summer of 2006, looked at the issue of need-based aid, and studied aid programs from several states. They developed recommendations for Idaho that are aligned with the Board's current efforts at increasing graduation requirements. The Governor supported the concept of a need-based aid program to provide the financial resources to Idaho students who are economically disadvantaged to close the gap between the estimated costs of attending an eligible Idaho institution and the expected student and family contribution toward the educational costs. The Governor and his staff carried the legislation, and House Bill 217 was adopted in the 2007 session. Temporary and proposed rules were approved by the Board at the June 13-14, 2007 meeting.

DISCUSSION

The intent of this need-based scholarship is to provide financial resources to prepared Idaho students from economically disadvantaged families to have the opportunity to enroll in and complete a postsecondary education and become productive tax-paying Idahoans.

The selection of the recipients for the 2007-2008 academic year began following the June Board Meeting. A review of the data and the initial year selection process indicated the need for some changes to the proposed and pending rules governing the Opportunity Scholarship. The attached rules include the recommended changes.

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Changes were needed to clarify how to equate the ACT scores of GED applicants who do not have high school or college GPA information. The rules indicate that the board staff will use a formula to equalize this information for initial consideration.

The rule will provide clarification on which GPA to use for the academic factor for high school applicants who took advantage of early college opportunities while in high school and have college courses on their transcript. The changes to rule will look at college GPA for high school students with 12 or more credits and compare this to their high school GPA academic factor and count the higher factor for these students.

Additional requirements were put into place for students who have 100 or more college credits. This will provide Board staff additional information to assure students are staying on track for completion of their college degrees.

The opportunity scholarship is renewable for a maximum of eight semesters (four academic years), or until baccalaureate degree completion (whichever is less). In order to be eligible for renewal, students must maintain eligibility, including meeting minimum satisfactory academic progress, remaining enrolled in a minimum of 12 credits/semester, and completing their Free Application for Federal Student Aid (FAFSA) by the priority date each year.

Students are required to file an application or FAFSA, and accept all federal grant aid that is offered to them. Federal dollars are critical to assist students in meeting the cost of attendance. All federal grand aid will be applied toward the cost of attendance, prior to the award of an Opportunity Scholarship.

IMPACT

This program is funded for the 2007-2008 year with an appropriation of \$1,925,000 for opportunity scholarships. A \$75,000 additional appropriation was set for program implementation and administration. These recommended changes will not affect the current funding recommendations.

ATTACHMENTS

Attachment 1 – Pending Rules Governing the Opportunity Scholarship Program	Page 5
Attachment 2 – Title 33, Sections 5601-5608, Idaho Code Opportunity Scholarship	Page 13
Attachment 3 – HB 217 Idaho Opportunity Scholarship Act	Page 17
Attachment 4 – HB 329 Appropriations	Page 23

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STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the Pending rules for the Opportunity Scholarship Program, IDAPA 08.01.13.

BOARD ACTION

A motion to approve the Pending rules governing the Opportunity Scholarship Program, IDAPA 08.01.13.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

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Attachment 1

**IDAPA 08.01.13
RULES GOVERNING THE IDAHO
OPPORTUNITY SCHOLARSHIP PROGRAM**

000. LEGAL AUTHORITY.

In accordance with Sections 33-105, 33-5605, and 33-5606(2)(c), Idaho Code the State Board of Education (Board) shall promulgate rules implementing the provisions of Title 33, Chapter 56, Idaho Code. (6-14-07)T

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 08.01.13, Rules Governing the Opportunity Scholarship Program. (6-14-07)T

02. Scope. These rules constitute the requirements for the Opportunity Scholarship Program. (6-14-07)T

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, written interpretations, if any, of the rules of this chapter are available at the Board. (6-14-07)T

003. ADMINISTRATIVE APPEALS.

Unless otherwise provided for in the rules of the Board or in the Board Governing Policies and Procedures, all administrative appeals allowed by law shall be conducted as provided herein. (6-14-07)T

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into these rules. (6-14-07)T

005. OFFICE INFORMATION.

01. Office Hours. The offices of the Board are open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays. (6-14-07)T

02. Street Address. The offices of the Board are located at 650 W. State Street, Boise, Idaho. (6-14-07)T

03. Mailing Address. The mailing address of the Board is P.O. Box 83720, Boise, Idaho 83720-0037. (6-14-07)T

04. Telephone Number. The telephone number of the Board is (208) 334-2270. (6-14-07)T

05. Facsimile. The facsimile number of the Board is (208) 334-2632. (6-14-07)T

06. Electronic Address. The electronic address of the Board is www.boardofed.idaho.gov. (6-14-07)T

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (6-14-07)T

007. – 009. (RESERVED).

010. DEFINITIONS.

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01. Educational Costs. Is defined in Section 33-5604(1), Idaho Code and means the dollar amount determined annually by the state board of education as necessary for student tuition, fees, room and board, books and such other expenses reasonably related to attendance at an eligible Idaho postsecondary educational institution. (6-14-07)T

02. Eligible Idaho Postsecondary Educational Institution. Is defined in Section 33-5604(2), Idaho Code, and means: (6-14-07)T

a. A public postsecondary organization governed or supervised by the state board, the board of regents of the university of Idaho, a board of trustees of a community college established pursuant to the provisions of chapter 21, title 33, Idaho Code, or the state board for professional technical education; or (6-14-07)T

b. Any educational organization located in Idaho which is: (6-14-07)T

i. Operated privately; (6-14-07)T

ii. Classified as not-for-profit under the Idaho Code; (6-14-07)T

iii. Under the control of an independent board and not directly controlled or administered by a public or political subdivision; and (6-14-07)T

iv. Accredited by an organization recognized by the state board, as provided in Section 33-2402, Idaho Code. (6-14-07)T

03. Eligible Student. Is defined in Section 33-5604(3), Idaho Code, and means a student who: (6-14-07)T

a. Is an Idaho resident; (6-14-07)T

b. Has or will graduate from an accredited high school or equivalent in Idaho as determined by the state board; (6-14-07)T

c. Has enrolled or applied as a full-time student to an eligible Idaho postsecondary educational institution; and (6-14-07)T

d. Is pursuing an undergraduate degree, certificate, or diploma. (6-14-07)T

04. Financial Eligibility. Is defined in Section 33-5604(4), Idaho Code, and means the extent of a person's inability to meet the educational costs associated with attending an eligible Idaho postsecondary educational institution through a model of shared responsibility, taking into account the required and expected contributions of such person's parents, family and personal resources. (6-14-07)T

05. Grade Point Average or GPA. Means the average grade earned by a student, figured by dividing the grade points earned by the number of credits attempted. (6-14-07)T

06. Opportunity Scholarship Program. Is defined Section 33-5604(5), Idaho Code and means the scholarship program described in Title 33, Chapter 56, Idaho Code, and these rules. (6-14-07)T

010. – 099. (RESERVED).

100. OBJECTIVES OF THE OPPORTUNITY SCHOLARSHIP PROGRAM.

The legislature has recognized and declared an intent to create a scholarship fund to provide financial resources to Idaho students who are economically disadvantaged to close the gap between the estimated cost of attending an eligible Idaho institution of higher education and the expected student and family contribution toward such educational costs, and to encourage the educational development of such students in eligible Idaho postsecondary educational institutions. These rules set forth academic and financial eligibility requirements and other criteria for

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purposes of awarding opportunity scholarships.

(6-14-07)T

101. ELIGIBILITY.

01. Idaho Resident. An eligible student must be an Idaho resident, as defined in Section 33-3717, Idaho Code, and IDAPA 08.01.04.005.01.

(6-14-07)T

02. Undergraduate Student. An eligible student must be pursuing an undergraduate degree, certificate, or diploma. A student who is enrolled in a graduate program, but who has not yet earned a baccalaureate degree, is not eligible for an opportunity scholarship. A student enrolled in an undergraduate program is eligible for consideration for an opportunity scholarship, even if some of the student's courses are at the graduate level.

(6-14-07)T

03. Academic Eligibility.

(6-14-07)T

a. Applicants for the opportunity scholarship are selected as recipients, in part, on the basis of their GPA. An eligible student's GPA, ~~which will be weighted to equalize secondary and postsecondary academic performance~~, will constitute thirty percent (30%) of the weighting for the selection of recipients of opportunity scholarships.

(6-14-07)T

b. To be eligible to apply for an opportunity scholarship, an applicant must meet minimum academic eligibility criteria, as follows:

(6-14-07)T

i. A student who has not yet graduated from secondary school or its equivalent in the state of Idaho must have an un-weighted minimum grade point of average of three point zero (3.0) or better on a scale of four point zero (4.0) to be academically eligible to apply for an opportunity scholarship.

(6-14-07)T

ii. A student who has obtained a general equivalency diploma must have taken the ACT assessment examination administered by the College Board (ACT), and received a minimum composite score of twenty (20) or better, or the equivalent SAT I assessment examination (SAT I) with an equivalent weighted score, to be academically eligible to apply for an opportunity scholarship.

(6-14-07)T

iii. A student currently enrolled in an eligible Idaho postsecondary educational institution must have a minimum grade point average of two point zero (2.0) or better on a scale of four point zero (4.0) at such institution in order to be academically eligible to apply for an opportunity scholarship.

(6-14-07)T

c. The following additional criteria shall be used to determine an eligible student's GPA: ()T

i. A student who has not yet graduated from secondary school and who has earned more than twelve (12) credits of postsecondary academic credit - for purposes of academic eligibility, the student's GPA shall be the higher of his or her secondary school GPA, or his or her postsecondary GPA, weighted to equalize secondary and postsecondary academic performance. ()T

ii. A student who has obtained a general equivalency diploma - for purposes of academic eligibility, such student's GPA will be determined by the student's ACT score, equalized to reflect a secondary school GPA.

()T

iii. A student currently enrolled in an eligible Idaho postsecondary educational institution - for purposes of academic eligibility, such student's GPA will be weighted to equalize secondary and post secondary academic performance. ()T

04. Financial Eligibility.

(6-14-07)T

a. Applicants for the opportunity scholarship are selected as recipients, ~~in part~~, on the basis of demonstrated financial need. The primary tool that will be used by Opportunity Scholarship Program officials to determine financial need will be the federal Free Application for Federal Student Aid (FAFSA), used by the United

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States Department of Education to determine eligibility for financial aid and a family's expected contribution to a student's postsecondary education. The financial need of an applicant for an opportunity scholarship will be based upon the validated expected family contribution, as identified by the FAFSA report.

(6-14-07)T

b. The financial need factor, as determined by FAFSA, will constitute seventy percent (70%) of the weighting for the selection of recipients of opportunity scholarships.

(6-14-07)T

05. Additional Eligibility Requirements.

(6-14-07)T

a. A student who has not yet graduated from high school, or its equivalent, in the state of Idaho must be at least in his junior year to be eligible to apply for an opportunity scholarship.

(6-14-07)T

b. To be eligible to receive an opportunity scholarship, an eligible student must:

(6-14-07)T

i. Have taken the ACT assessment examination, or the equivalent SAT I assessment examination, or the Writing Skills, Reading Skills, and Algebra areas of the ACT Compass examination;

(6-14-07)T

ii. Be enrolled full-time in an eligible Idaho postsecondary educational institution; and

(6-14-07)T

iii. Be pursuing an undergraduate degree, certificate, or diploma.

(6-14-07)T

c. A student must accept all federal grant aid that is made available to such student to be eligible to receive an Idaho opportunity scholarship.

(6-14-07)T

d. To be eligible to receive an opportunity scholarship, the student must not be in default on a student educational loan, or owe a repayment on a federal grant, and must be in good financial standing with the Opportunity Scholarship Program.

(6-14-07)T

e. If a student has attempted or completed more than one hundred (100) postsecondary academic credits, then such student must identify his or her major, the required number of credits necessary for graduation in such major, and shall submit an academic transcript that contains all courses taken and all postsecondary academic credit received. A student shall not be eligible for an Opportunity Scholarship if: ()T

i. The student is not meeting satisfactory academic progress at the eligible Idaho postsecondary educational institution the student is attending at the time he or she applies for an Opportunity Scholarship; ()T

ii. The student has completed more than one hundred fifty percent (150%) of the courses and academic credit necessary to graduate in such major; or ()T

iii. The student is not within two (2) semesters of graduation in such major, based on normal academic course load. ()T

06. Student Responsibility. The Board will, by resolution each year, establish the annual amount of the expected student contribution toward his education through employment or other contributions (student responsibility). It is expected that a student will contribute an amount equal to a student working a minimum of twenty (20) hours per week during the time that a postsecondary educational institution is in session, and a minimum of forty (40) hours per week during the summer recess. This expectation will be one of the factors the Board will use to set the amount of student responsibility. The Board may consider other factors as well, such as summer living expenses, and transition time between the academic year and the summer, as examples.

(6-14-07)T

102. – 200. (RESERVED).

201. APPLICATION PROCESS (Effective July 1 through December 31, 2007).

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01. Initial Applications. (6-14-07)T

a. An eligible student who has enrolled in an eligible Idaho postsecondary educational institution for the 2007 – 2008 academic year, and who completed and submitted the FAFSA on or prior to March 1, 2007, shall be eligible for consideration for an opportunity scholarship award for the 2007 – 2008 academic year. Eligible Idaho postsecondary educational institutions shall transmit to the Board enrolled students who meet the eligibility requirements of these rules. (6-14-07)T

b. After this selection process is performed, eligible students will be contacted by Opportunity Scholarship Program officials and must agree to the terms of the program, including these rules, by signing and electronically submitting an application to the Board. (6-14-07)T

02. Announcement of Award. Announcement of the award of initial scholarships for the 2007 – 2008 academic year will be made no later than September 30, 2007, with awards to be effective at the beginning of that academic year. (6-14-07)T

03. Communication with State Officials. Applicants for initial scholarships must respond by the date specified to any communication from officials of the Opportunity Scholarship Program. Failure to respond within the time period specified will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved. (6-14-07)T

202. APPLICATION PROCESS (Effective January 1, 2008).

01. Initial Applications. (6-14-07)T

a. An eligible student who has not yet graduated from an accredited high school or its equivalent in the state of Idaho must complete and submit the Opportunity Scholarship Program application to the Board electronically on or before the date specified in the application, but not later than March 1. An applicant without electronic capabilities may submit an application on the form established by the Board through the United States Postal Service, which must be postmarked not later than March 1. An applicant who is in his junior year must complete and submit the FAFSA 4caster on or prior to March 1 of their junior year. All applicants must complete and submit the FAFSA on or prior to March 1 of his last year of secondary school (including applicants who were secondary school juniors that previously submitted the FAFSA 4caster). (6-14-07)T

b. An eligible student currently enrolled in an eligible Idaho postsecondary educational institution must complete and submit the Opportunity Scholarship Program application to the Board electronically on or before the date specified in the application, but not later than March 1. An applicant without electronic capabilities may submit an application on the form established by the Board through the United States Postal Service, which must be postmarked by March 1. A current postsecondary educational institution student must complete and submit the FAFSA on or prior to March 1. (6-14-07)T

02. Announcement of Award. Announcement of the award of initial scholarships will be made no later than the first business day after June 15 of each year, with awards to be effective at the beginning of the first full term following July 1 of that year. (6-14-07)T

03. Communication with State Officials. Applicants for either initial or continuing scholarships must respond by the date specified to any communication from officials of the Opportunity Scholarship Program. Failure to respond within the time period specified will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved. (6-14-07)T

203. – 299. (RESERVED).

300. SELECTION OF SCHOLARSHIP RECIPIENTS.

01. Selection Process. The selection of applicants for the receipt of an opportunity scholarship will be

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based on the availability of funding for the Opportunity Scholarship Program. In addition, opportunity scholarships will be awarded to applicants, based on ranking and priority, in accordance with the following criteria: (6-14-07)T

a. Applicants will be ranked to determine the eligible students with the greatest demonstrated financial need, based on the financial eligibility requirements of these rules, ~~and the eligible students with the highest quantified academic ranking, based on the academic eligibility requirements of these rules. The ranking of applicants will be~~ Then, eligible students shall be selected based on rating criteria that assigns seventy percent (70%) to financial eligibility, and thirty percent (30%) to academic eligibility. In the event that this weighted score results in a tie, an eligible student who submitted his application to the Board earliest in time will be assigned a higher rank. (6-14-07)T

b. Notwithstanding Subsection 300.01.a. of these rules, the priority for the selection of recipients of opportunity scholarship awards shall be to scholarship recipients who received a previous opportunity scholarship award, and have continuing eligibility based upon financial need and other criteria provided in these rules. (6-14-07)T

03. Monetary Value of the Opportunity Scholarship. (6-14-07)T

a. The Board will, by resolution each year, establish the maximum annual amount that a student may receive under the Opportunity Scholarship Program. In addition, the Board will, by resolution each year, establish the educational costs for attending an eligible Idaho postsecondary educational institution for purposes of the Opportunity Scholarship Program. The educational costs will be established as a not to exceed amount for each eligible Idaho postsecondary educational institution. (6-14-07)T

b. The monetary value of the opportunity scholarship award to a student shall be based on the educational costs for attending an eligible Idaho postsecondary educational institution, less the following: (6-14-07)T

- i. The amount of the assigned student responsibility, established by the Board annually; (6-14-07)T
- ii. The amount of federal grant aid, as identified by the federal Student Aid Report (SAR); (6-14-07)T
- iii. The amount of other financial aid awarded the student, from private or other sources. (6-14-07)T

c. The amount of an opportunity scholarship award to an individual student shall not exceed the maximum amount established by the Board annually, and shall not exceed the cost of tuition at an Idaho public postsecondary educational institution, or if the student attends or will attend an Idaho private postsecondary educational institution, the average tuition or matriculation fees at Idaho's public four-year postsecondary educational institutions. (6-14-07)T

301. OPPORTUNITY SCHOLARSHIP AWARD.

01. Payment. Payment of opportunity scholarship awards will be made in the name of the recipient and will be sent to a designated official at the eligible Idaho postsecondary educational institution in which the recipient is enrolled. The official must transmit the payment to the recipient within a reasonable time following receipt of the payment. (6-14-07)T

02. Duration. Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, quarters, or equivalent units. In no instance will the entire amount of a scholarship be paid in advance to, or on behalf of, a scholarship recipient. The scholarship covers up to one (1) educational year or equivalent for attendance at an eligible Idaho postsecondary educational institution. (6-14-07)T

03. Eligibility. If a student receives an opportunity scholarship payment and it is later determined that the student did not meet all of the Opportunity Scholarship Program eligibility requirements, then the student is considered in overpayment status, and must return program funds in accordance with the eligible Idaho postsecondary educational institution's refund policy. (6-14-07)T

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302. CONTINUING ELIGIBILITY.

To remain eligible for renewal of an opportunity scholarship, the recipient must comply with all of the provisions of the Opportunity Scholarship Program and these rules, in addition to the following requirements: (6-14-07)T

01. Renewal Application. A scholarship recipient must complete and submit a renewal application in order to be considered for a continuing scholarship for each succeeding year. A completed application for the renewal of an opportunity scholarship must be submitted to the Board electronically by the date established on the application, but not later than January 31. An applicant without electronic capabilities may submit an application on the form established by the Board through the United States Postal Service, which must be postmarked not later than January 31. In addition, a scholarship recipient must update and submit the FAFSA on or prior to March 1.

(6-14-07)T

02. Credit Hours. To remain eligible for renewal of an opportunity scholarship, the scholarship recipient must have completed a minimum of twelve (12) credit hours or its equivalent each semester that the student received an opportunity scholarship award.

(6-14-07)T

03. Satisfactory Academic Progress. To remain eligible for renewal of an opportunity scholarship, the scholarship recipient must have maintained a minimum grade point average of two point zero (2.0) on a scale of four point zero (4.0) during the time that the recipient received an opportunity scholarship award, and must be maintaining satisfactory academic progress, consistent within federal financial regulations as implemented at the eligible Idaho postsecondary educational institution at which the scholarship recipient was enrolled.

(6-14-07)T

04. Maximum Scholarship Award. The award of an opportunity scholarship shall not exceed the equivalent of eight (8) semesters or the equivalent of four (4) academic years.

(6-14-07)T

05. Eligibility Following Interruption of Continuous Enrollment. A scholarship recipient whose continuous enrollment is interrupted for more than four (4) months for any reason but who intends to re-enroll in an eligible Idaho postsecondary educational institution must file a letter of intent to interrupt continuous enrollment no later than sixty (60) days prior to the first day of the academic term of the discontinued attendance. Failure to do so may result in forfeiture of the scholarship. The Board will review each request for interruption and notify the individual of approval or denial of the request. In addition, the individual must file a statement with the Board declaring his intent to re-enroll as a full-time undergraduate student in an academic or professional-technical program in an eligible Idaho postsecondary educational institution for the succeeding academic year no later than thirty (30) days prior to the first day of the academic term in which the individual intends to re-enroll.

(6-14-07)T

303. – 399. (RESERVED).

400. RESPONSIBILITIES OF ELIGIBLE IDAHO POSTSECONDARY EDUCATIONAL INSTITUTIONS.

01. Statements of Continuing Eligibility. An eligible Idaho postsecondary educational institution participating in this Opportunity Scholarship Program must submit statements of continuing student eligibility to the Board by the 30th day of each academic term. Such statements must include verification that the scholarship recipient is still enrolled, attending full time, maintaining satisfactory academic progress, and has not exceeded the award eligibility terms.

02. Other Requirements. An eligible Idaho postsecondary educational institution must: (6-14-07)T

a. Be eligible to participate in Federal Title IV financial aid programs, and must supply documentation to the Board verifying this eligibility, and prompt notification regarding any changes in this status;

(6-14-07)T

b. Have the necessary administrative computing capability to administer the Opportunity Scholarship Program on its campus, and electronically report student data records to the Board;

(6-14-07)T

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- c. Provide data on student enrollment and federal, state, and private financial aid for students to the Board, and (6-14-07)T
- d. Agree to permit periodic Opportunity Scholarship Program audits to verify compliance with Idaho law and these rules related to the program. (6-14-07)T

401. ADMINISTRATION.

The Board is responsible for: (6-14-07)T

- a. Releasing any public information regarding the Opportunity Scholarship Program; (6-14-07)T
- b. Determination of scholarship recipients; (6-14-07)T
- c. Determination of procedures for payment of scholarships to recipients; (6-14-07)T
- d. Maintaining fiscal controls and accounting procedures; (6-14-07)T
- e. Preparing annual reports as required, and (6-14-07)T
- f. Authorizing release of all forms, affidavits, and certification necessary for the operation of the program. (6-14-07)T

402. – 500. (RESERVED).

501. APPEALS.

Any opportunity scholarship applicant or recipient adversely affected by a decision made under provisions of these rules may appeal such adverse decision as follows. The opportunity scholarship applicant or recipient must appeal no later than thirty (30) days following notice of the decision, and the written statement must include a statement of the reason the opportunity scholarship applicant or recipient believes the decision should be changed. The appeal must be submitted to the President of the Board. The Board must acknowledge receipt of the appeal within seven (7) days. The President of the Board may or may not agree to review the action, or may appoint a subcommittee of three (3) persons, including at least one (1) financial aid administrator at an eligible postsecondary educational institution in Idaho. (6-14-07)T

01. Transmittal to Subcommittee. If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the President of the Board within fifteen (15) days from the time the subcommittee receives the appeal document. The opportunity scholarship applicant or recipient initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal. (6-14-07)T

02. Subcommittee Recommendations. Following the subcommittee's decision, the President of the Board will present the subcommittee's recommendation to the full Board at the next regularly scheduled meeting of the Board. The opportunity scholarship applicant or recipient initiating the appeal may, at the discretion of the President of the Board, be permitted to make a presentation to the Board. (6-14-07)T

03. Board Decision. The decision of the Board is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the Board. The Board will inform the opportunity scholarship applicant or recipient in writing of the decision of the Board. (6-14-07)T

502. – 999. (RESERVED).

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

Attachment 2

**TITLE 33
EDUCATION
CHAPTER 56
IDAHO OPPORTUNITY SCHOLARSHIP PROGRAM**

33-5601. SHORT TITLE. This act shall be known and cited as the "Idaho Opportunity Scholarship Act."

33-5602. LEGISLATIVE INTENT. It is the intent of the legislature to create a scholarship fund to provide financial resources to Idaho students who are economically disadvantaged to close the gap between the estimated cost of attending an eligible Idaho institution of higher education and the expected student and family contribution toward such educational costs, and to encourage the educational development of such students in eligible Idaho postsecondary educational institutions.

33-5603. PURPOSES. The purposes of this chapter are to:

- (1) Increase the opportunity for economically disadvantaged Idaho students to attend postsecondary educational institutions within Idaho;
- (2) Reduce the financial burden on eligible students and their families who want to attend eligible postsecondary educational institutions within Idaho;
- (3) Recognize the individual benefit of education to students and provide resources to finance their postsecondary education;
- (4) Recognize that all Idaho citizens benefit from an educated citizenry, and provide funding to assist with educational costs of participants; and
- (5) Increase individual economic vitality and improve the overall quality of life for many of Idaho's citizens.

33-5604. DEFINITIONS. As used in this chapter:

- (1) "Educational costs" means the dollar amount determined annually by the state board of education as necessary for student tuition, fees, room and board, books and such other expenses reasonably related to attendance at an eligible Idaho postsecondary educational institution.
- (2) "Eligible Idaho postsecondary educational institution" means:
 - (a) A public postsecondary organization governed or supervised by the state board, the board of regents of the university of Idaho, a board of trustees of a community college established pursuant to the provisions of chapter 21, title 33, Idaho Code, or the state board for professional-technical education; or
 - (b) Any educational organization located in Idaho which is:
 - (i) Operated privately;
 - (ii) Classified as not-for-profit under the Idaho Code;
 - (iii) Under the control of an independent board and not directly controlled or administered by a public or political subdivision; and
 - (iv) Accredited by an organization recognized by the state board, as provided in section 33-2402, Idaho Code.
- (3) "Eligible student" means a student who:
 - (a) Is an Idaho resident;
 - (b) Has or will graduate from an accredited high school or equivalent in Idaho as determined by the state board;
 - (c) Has enrolled or applied as a full-time student to an eligible Idaho postsecondary educational institution; and
 - (d) Is pursuing an undergraduate degree, certificate or diploma.
- (4) "Financial eligibility" means the extent of a person's inability to meet the educational costs associated with attending an eligible Idaho postsecondary educational institution through a model of

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

shared responsibility, taking into account the required and expected contributions of such person's parents, family and personal resources.

(5) "Opportunity scholarship program" means the scholarship program described in this chapter and in the rules established by the state board.

(6) "State board" means the state board of education.

33-5605. ACADEMIC AND FINANCIAL ELIGIBILITY. The state board shall promulgate rules by August 1, 2007, to determine academic and financial eligibility consistent with this section [chapter] for the purpose of awarding the Idaho opportunity scholarship.

33-5606. APPLICATION PROCESS. (1) The state board shall promulgate rules by August 1, 2007, to establish a process and application form for eligible students to apply for an opportunity scholarship.

(2) When applying for an opportunity scholarship an eligible student must:

(a) Apply or have applied for federal and state student financial assistance available to an eligible student who will attend, or is enrolled in an eligible Idaho postsecondary educational institution;

(b) Submit to the state board all of the information and documentation required to demonstrate his or her financial eligibility under this chapter, and any other information and documentation the state board may require to determine the applicant's eligibility for an opportunity scholarship under this chapter; and

(c) Meet any other minimum criteria established by the state board in rule.

33-5607. SELECTION PROCESS -- AMOUNT OF AWARDS -- CONDITIONS. (1) The state board shall promulgate rules by August 1, 2007, consistent with this section, to determine:

(a) How eligible students will be selected to receive the Idaho opportunity scholarship; and

(b) When the scholarship award will occur.

(2) Funds that are available for the opportunity scholarship program shall be used to provide scholarships based on a sharing of responsibility between the scholarship recipient and his or her family, the federal government and the participating eligible Idaho postsecondary educational institution that the recipient attends for covering the educational costs for attendance.

(3) The opportunity scholarship award shall not exceed the actual educational costs at the eligible Idaho postsecondary educational institution that the student attends. The amount of scholarship for attendance on a full-time basis shall not exceed the recognized educational costs, after deducting the following:

(a) The assigned student/family responsibility, in an amount to be determined by the state board; and

(b) The amount of any other public or private scholarships or grants which the applicant receives.

(4) Any scholarship awarded under this chapter shall not exceed the equivalent of eight (8) semesters or the equivalent of four (4) academic years. An eligible Idaho postsecondary educational institution participating in this program shall be required to submit statements of continuing student eligibility to the state board, which shall include verification that the student is still enrolled, attending full time, maintaining satisfactory academic progress and has not exceeded the award eligibility terms.

(5) Grant payments shall correspond to academic terms, semesters, quarters or equivalent time periods at an eligible Idaho postsecondary educational institution. In no instance may the entire amount of a grant be paid to or on behalf of such student in advance.

(6) If an eligible student, scholarship applicant or scholarship recipient becomes ineligible to participate in the opportunity scholarship program under this chapter or the rules established by the state board, then the eligible student may reapply at any time for further consideration under this chapter.

(7) If an eligible student becomes ineligible for a scholarship under this chapter, or if a student discontinues attendance before the end of any semester, quarter, term or equivalent, covered by the grant after receiving payment under this chapter, the eligible Idaho postsecondary educational institution shall remit, up to the amount of any payments made under this grant, any prorated tuition, fees or room and board balances to the state board. The student shall be required to remit, up to the amount of any other reasonable grant balances, such grant balances to the state board. In the event of extreme hardship as determined by the state board, a student may request waiver of remittance.

33-5608. OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT. (1) There is hereby created an account in the state treasury to be designated the "opportunity scholarship program account."

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

(2) The account shall consist of moneys appropriated to the account by the legislature, moneys contributed to the account from other sources, and the earnings on such moneys. The executive director of the state board may receive on behalf of the state board any moneys or real or personal property donated, bequeathed, devised or conditionally granted to the state board for purposes of providing funding for such account. Moneys received directly or derived from the sale of such property shall be deposited by the state treasurer in the account.

(3) Earnings from moneys in the account or specified gifts shall be distributed annually to the state board to implement the opportunity scholarship program as provided for under this chapter.

(4) All moneys placed in the account and earnings thereon are hereby perpetually appropriated to the state board for the purpose described in subsection (3) of this section. All expenditures from the account shall be paid out in warrants drawn by the state controller upon presentation of the proper vouchers. Up to five percent (5%) of the annual earnings distribution to the state board, but not to exceed seventy-five thousand dollars (\$75,000), may be used by the state board annually for administrative costs related to the implementation of the provisions of this chapter.

(5) Allowable administrative costs include, but are not limited to, operating expenses for the implementation and maintenance of a database, operating expenses to administer the program, personnel costs necessary to administer the program and costs related to promoting awareness of the program.

(6) Pending use, surplus moneys in the account shall be invested by the state treasurer in the same manner as provided under section 67-1210, Idaho Code. Interest earned on the investments shall be returned to the account.

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HOUSE BILL NO. 217

View [Bill Status](#)

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View [Statement of Purpose / Fiscal Impact](#)

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Bill Status

H0217.....by EDUCATION
IDAHO OPPORTUNITY SCHOLARSHIP ACT - Adds to existing law to provide for the Idaho Opportunity Scholarship Act; to state legislative intent; to provide for academic and financial eligibility; to provide for an application process; to provide for an awards process; to provide for application criteria; to provide for the amount and duration of awards; to provide for procedure in the event of ineligibility; and to create and provide for an opportunity scholarship program account.

02/20 House intro - 1st rdg - to printing

02/21 Rpt prt - to Educ

02/26 Rpt out - rec d/p - to 2nd rdg

02/27 2nd rdg - to 3rd rdg

03/01 Ret'd to Educ

03/15 Rpt out - rec d/p - to 3rd rdg

03/16 3rd rdg - PASSED - 64-4-2

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker

NAYS -- Barrett, Harwood, Shepherd(8), Thayn

Absent and excused -- Lake, McGeachin

Floor Sponsors - Nonini & Trail

Title apvd - to Senate

03/19 Senate intro - 1st rdg - to Educ

03/20 Rpt out - rec d/p - to 2nd rdg

03/21 2nd rdg - to 3rd rdg

03/22 3rd rdg - PASSED - 28-7-0

AYES -- Andreason, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Langhorst, Little, Lodge, Malepeai, McGee, McKenzie, Richardson, Schroeder, Stennett, Werk

NAYS -- Bair, Fulcher, Keough, McKague, Pearce, Siddoway, Stegner

Absent and excused -- None

Floor Sponsors - Bastian & Burkett

Title apvd - to House

03/22 To enrol - Rpt enrol - Sp signed

03/23 Pres signed

03/26 To Governor

http://search.state.id.us/search97cgi/s97_cgi.exe?action=View&VdkVgwKey=http%3A%2F%2Fwww3%... 5/24/2007

03/29 Governor signed
Session Law Chapter 259
Effective: 07/01/07

Bill Text

]]]] LEGISLATURE OF THE STATE OF IDAHO]]]]
Fifty-ninth Legislature First Regular Session - 2007

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 217

BY EDUCATION COMMITTEE

AN ACT

RELATING TO SCHOLARSHIPS; AMENDING TITLE 33, IDAHO CODE, BY THE ADDITION OF A
NEW CHAPTER 56, TITLE 33, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE
LEGISLATIVE INTENT, TO PROVIDE FOR THE PURPOSES OF THE CHAPTER, TO DEFINE
TERMS, TO PROVIDE FOR ACADEMIC AND FINANCIAL ELIGIBILITY, TO PROVIDE FOR
AN APPLICATION PROCESS, TO PROVIDE FOR APPLICATION CRITERIA, TO PROVIDE
FOR AN AWARDS PROCESS, TO PROVIDE FOR THE AMOUNT AND DURATION OF AWARDS,
TO PROVIDE FOR PROCEDURE IN THE EVENT OF INELIGIBILITY AND TO CREATE AND
PROVIDE FOR AN OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT.

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

SECTION 1. That Title 33, Idaho Code, be, and the same is hereby amended
by the addition thereto of a NEW CHAPTER, to be known and designated as Chap-
ter 56, Title 33, Idaho Code, and to read as follows:

CHAPTER 56

IDAHO OPPORTUNITY SCHOLARSHIP PROGRAM

33-5601. SHORT TITLE. This act shall be known and cited as the "Idaho
Opportunity Scholarship Act."

33-5602. LEGISLATIVE INTENT. It is the intent of the legislature to cre-
ate a scholarship fund to provide financial resources to Idaho students who
are economically disadvantaged to close the gap between the estimated cost of
attending an eligible Idaho institution of higher education and the expected
student and family contribution toward such educational costs, and to encour-
age the educational development of such students in eligible Idaho post-
secondary educational institutions.

33-5603. PURPOSES. The purposes of this chapter are to:

- (1) Increase the opportunity for economically disadvantaged Idaho stu-
dents to attend postsecondary educational institutions within Idaho;
- (2) Reduce the financial burden on eligible students and their families
who want to attend eligible postsecondary educational institutions within
Idaho;
- (3) Recognize the individual benefit of education to students and provide
resources to finance their postsecondary education;
- (4) Recognize that all Idaho citizens benefit from an educated citizenry,
and provide funding to assist with educational costs of participants; and
- (5) Increase individual economic vitality and improve the overall quality
of life for many of Idaho's citizens.

33-5604. DEFINITIONS. As used in this chapter:

- (1) "Educational costs" means the dollar amount determined annually by

HOUSE BILL NO. 217 - Opportunity scholarship program

Page 3 of 5

39 the state board of education as necessary for student tuition, fees, room and

2

1 board, books and such other expenses reasonably related to attendance at an
2 eligible Idaho postsecondary educational institution.

3 (2) "Eligible Idaho postsecondary educational institution" means:

4 (a) A public postsecondary organization governed or supervised by the
5 state board, the board of regents of the university of Idaho, a board of
6 trustees of a community college established pursuant to the provisions of
7 chapter 21, title 33, Idaho Code, or the state board for professional-
8 technical education; or

9 (b) Any educational organization located in Idaho which is:

10 (i) Operated privately;

11 (ii) Classified as not-for-profit under the Idaho Code;

12 (iii) Under the control of an independent board and not directly con-
13 trolled or administered by a public or political subdivision; and

14 (iv) Accredited by an organization recognized by the state board, as
15 provided in section 33-2402, Idaho Code.

16 (3) "Eligible student" means a student who:

17 (a) Is an Idaho resident;

18 (b) Has or will graduate from an accredited high school or equivalent in
19 Idaho as determined by the state board;

20 (c) Has enrolled or applied as a full-time student to an eligible Idaho
21 postsecondary educational institution; and

22 (d) Is pursuing an undergraduate degree, certificate or diploma.

23 (4) "Financial eligibility" means the extent of a person's inability to
24 meet the educational costs associated with attending an eligible Idaho post-
25 secondary educational institution through a model of shared responsibility,
26 taking into account the required and expected contributions of such person's
27 parents, family and personal resources.

28 (5) "Opportunity scholarship program" means the scholarship program
29 described in this chapter and in the rules established by the state board.

30 (6) "State board" means the state board of education.

31 33-5605. ACADEMIC AND FINANCIAL ELIGIBILITY. The state board shall pro-
32 mulgate rules by August 1, 2007, to determine academic and financial eligibil-
33 ity consistent with this section for the purpose of awarding the Idaho oppor-
34 tunity scholarship.

35 33-5606. APPLICATION PROCESS. (1) The state board shall promulgate rules
36 by August 1, 2007, to establish a process and application form for eligible
37 students to apply for an opportunity scholarship.

38 (2) When applying for an opportunity scholarship an eligible student
39 must:

40 (a) Apply or have applied for federal and state student financial assis-
41 tance available to an eligible student who will attend, or is enrolled in
42 an eligible Idaho postsecondary educational institution;

43 (b) Submit to the state board all of the information and documentation
44 required to demonstrate his or her financial eligibility under this chap-
45 ter, and any other information and documentation the state board may
46 require to determine the applicant's eligibility for an opportunity schol-
47 arship under this chapter; and

48 (c) Meet any other minimum criteria established by the state board in
49 rule.

50 33-5607. SELECTION PROCESS -- AMOUNT OF AWARDS -- CONDITIONS. (1) The
51 state board shall promulgate rules by August 1, 2007, consistent with this
52 section, to determine:

3

1 (a) How eligible students will be selected to receive the Idaho opportu-
2 nity scholarship; and

(b) When the scholarship award will occur.

(2) Funds that are available for the opportunity scholarship program shall be used to provide scholarships based on a sharing of responsibility between the scholarship recipient and his or her family, the federal government and the participating eligible Idaho postsecondary educational institution that the recipient attends for covering the educational costs for attendance.

(3) The opportunity scholarship award shall not exceed the actual educational costs at the eligible Idaho postsecondary educational institution that the student attends. The amount of scholarship for attendance on a full-time basis shall not exceed the recognized educational costs, after deducting the following:

(a) The assigned student/family responsibility, in an amount to be determined by the state board; and

(b) The amount of any other public or private scholarships or grants which the applicant receives.

(4) Any scholarship awarded under this chapter shall not exceed the equivalent of eight (8) semesters or the equivalent of four (4) academic years. An eligible Idaho postsecondary educational institution participating in this program shall be required to submit statements of continuing student eligibility to the state board, which shall include verification that the student is still enrolled, attending full time, maintaining satisfactory academic progress and has not exceeded the award eligibility terms.

(5) Grant payments shall correspond to academic terms, semesters, quarters or equivalent time periods at an eligible Idaho postsecondary educational institution. In no instance may the entire amount of a grant be paid to or on behalf of such student in advance.

(6) If an eligible student, scholarship applicant or scholarship recipient becomes ineligible to participate in the opportunity scholarship program under this chapter or the rules established by the state board, then the eligible student may reapply at any time for further consideration under this chapter.

(7) If an eligible student becomes ineligible for a scholarship under this chapter, or if a student discontinues attendance before the end of any semester, quarter, term or equivalent, covered by the grant after receiving payment under this chapter, the eligible Idaho postsecondary educational institution shall remit, up to the amount of any payments made under this grant, any prorated tuition, fees or room and board balances to the state board. The student shall be required to remit, up to the amount of any other reasonable grant balances, such grant balances to the state board. In the event of extreme hardship as determined by the state board, a student may request waiver of remittance.

33-5608. OPPORTUNITY SCHOLARSHIP PROGRAM ACCOUNT. (1) There is hereby created an account in the state treasury to be designated the "opportunity scholarship program account."

(2) The account shall consist of moneys appropriated to the account by the legislature, moneys contributed to the account from other sources, and the earnings on such moneys. The executive director of the state board may receive on behalf of the state board any moneys or real or personal property donated, bequeathed, devised or conditionally granted to the state board for purposes of providing funding for such account. Moneys received directly or derived from the sale of such property shall be deposited by the state trea-

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surer in the account.

(3) Earnings from moneys in the account or specified gifts shall be distributed annually to the state board to implement the opportunity scholarship program as provided for under this chapter.

(4) All moneys placed in the account and earnings thereon are hereby perpetually appropriated to the state board for the purpose described in subsection (3) of this section. All expenditures from the account shall be paid out in warrants drawn by the state controller upon presentation of the proper

HOUSE BILL NO. 217 - Opportunity scholarship program

Page 5 of 5

9 vouchers. Up to five percent (5%) of the annual earnings distribution to the
10 state board, but not to exceed seventy-five thousand dollars (\$75,000), may be
11 used by the state board annually for administrative costs related to the
12 implementation of the provisions of this chapter.
13 (5) Allowable administrative costs include, but are not limited to, oper-
14 ating expenses for the implementation and maintenance of a database, operating
15 expenses to administer the program, personnel costs necessary to administer
16 the program and costs related to promoting awareness of the program.
17 (6) Pending use, surplus moneys in the account shall be invested by the
18 state treasurer in the same manner as provided under section 67-1210, Idaho
19 Code. Interest earned on the investments shall be returned to the account.

Statement of Purpose / Fiscal Impact

REPRINT

REPRINT

REPRINT

REPRINT

STATEMENT OF PURPOSE

RS 17067

The purpose of this legislation is to create a scholarship fund to be administered by the Idaho State Board of Education for post secondary education. This scholarship fund will be used to provide "last dollar" financial resources to eligible Idaho students who are economically disadvantaged.

The goal of this bill is to provide an opportunity for academically qualified and economically challenged Idaho students to obtain a post secondary education by reducing the financial burdens associated with that education.

FISCAL NOTE

There is no impact to the General Fund.

Contact

Name: David Hensley/Karen McGee, Office of the Governor
Phone: 334 2100

Representatives Nonini, Shirley, Trail, Bradford, Block, Snodgrass, Patrick, Chadderdon, Mathews, Jaquet, Boe, Pence, Chavez, Durst, Shively, Bock, Chew, Henbest, Killen, King, LeFavour, Pasley-Stuart, Ringo, Ruchti, Rusche, Sayler, Shepherd(2)

Senators Andreason, Bastian, Schroeder, Stennett, Coiner, Malepaeai, Gannon, McGee

STATEMENT OF PURPOSE/FISCAL NOTE

H 217

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HOUSE BILL NO. 329

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~~*This sentence is marked with strikethrough and italic, indicating text to be removed.*~~

Bill Status

H0329.....by APPROPRIATIONS
APPROPRIATIONS - Appropriates an additional \$10,000,000 to the State Board of Education for scholarships and grants for fiscal year 2008; appropriates an additional \$1,925,000 to the State Board of Education for Special Programs for scholarships and grants for fiscal year 2008; provides legislative intent regarding the Idaho Opportunity Scholarship; appropriates \$75,000 to the Office of the State Board of Education; and provides legislative intent regarding start-up and implementation of the Idaho Opportunity Scholarship.

03/22 House intro - 1st rdg - to printing

03/23 Rpt prt - to 2nd rdg

03/26 2nd rdg - to 3rd rdg

Rls susp - PASSED - 59-9-2

AYES -- Andrus, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Luker, Marriott, Mathews, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(2), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Trail, Wills, Wood(27), Wood(35), Mr. Speaker

NAYS -- Barrett, Bayer, Hart, Harwood, Lake, Loertscher, McGeachin, Shepherd(8), Vander Woude

Absent and excused -- Anderson, Hagedorn

Floor Sponsor - Bolz

Title apvd - to Senate

03/26 Senate intro - 1st rdg - to Fin

03/27 Rpt out - rec d/p - to 2nd rdg

Rls susp - PASSED - 26-7-2

AYES -- Andreason, Bastian, Bilyeu, Broadsword, Burkett(Cronin), Cameron, Coiner, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Kelly, Langhorst, Little, Lodge, Malepeai, McGee, Richardson, Schroeder, Stennett, Werk(Douglas)

NAYS -- Bair, Fulcher, Jorgenson, Keough, McKague, Siddoway, Stegner
Absent and excused -- McKenzie, Pearce

Floor Sponsor - Hammond

Title apvd - to House

03/27 To enrol - Rpt enrol - Sp signed

03/28 Pres signed - To Governor

04/02 Governor signed

Session Law Chapter 348

Effective: 07/01/07

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007

HOUSE BILL NO. 329 - Approp, Education Bd, special prog

Page 2 of 3

Bill Text

]]]] LEGISLATURE OF THE STATE OF IDAHO]]]]
Fifty-ninth Legislature First Regular Session - 2007

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 329

BY APPROPRIATIONS COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL ONE-TIME MONEYS TO THE STATE BOARD OF EDUCATION FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2008; APPROPRIATING ADDITIONAL ONGOING MONEYS TO THE STATE BOARD OF EDUCATION FOR SPECIAL PROGRAMS FOR FISCAL YEAR 2008; PROVIDING FOR THE USE OF FUNDS; APPROPRIATING ADDITIONAL MONEYS FOR THE OFFICE OF THE STATE BOARD OF EDUCATION FOR FISCAL YEAR 2008; AND EXPRESSING LEGISLATIVE INTENT REGARDING USE OF FUNDS.

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

SECTION 1. In addition to any other appropriation provided by law, there is hereby appropriated to the State Board of Education for Special Programs for Scholarships and Grants, \$10,000,000, one-time, for trustee and benefit payments from the General Fund for the period July 1, 2007, through June 30, 2008. These moneys shall be deposited into the Opportunity Scholarship Program Account as established in House Bill No. 217, as enacted by the First Regular Session of the Fifty-ninth Idaho Legislature, for the purpose of creating the corpus of said account. Earnings therefrom shall be distributed annually as prescribed by law and subject to the conditions set forth in Section 3 of this act.

SECTION 2. In addition to any other appropriation provided by law, there is hereby appropriated to the State Board of Education for Special Programs for Scholarships and Grants, \$1,925,000, ongoing, for trustee and benefit payments from the General Fund for the period July 1, 2007, through June 30, 2008. These moneys shall be used for the Idaho Opportunity Scholarship subject to the conditions set forth in Section 3 of this act.

SECTION 3. When awarding the Idaho Opportunity Scholarship, the State Board of Education shall give first priority to all eligible students attending eligible public postsecondary institutions. Any remaining scholarship funds may be made available to other eligible students attending eligible private, not-for-profit, postsecondary institutions.

SECTION 4. In addition to any other appropriation provided by law, there is hereby appropriated to the Office of the State Board of Education the following amount to be expended according to the designated expense classes from the listed fund for the period July 1, 2007, through June 30, 2008:

FOR:	
Personnel Costs	\$20,000
Operating Expenditures	<u>55,000</u>
TOTAL	\$75,000
FROM:	
General Fund	\$75,000

SECTION 5. It is legislative intent that the moneys appropriated in Sec-

1 tion 4 of this act may be used by the Office of the State Board of Education
2 for administrative costs related to the start-up and implementation of the
3 Idaho Opportunity Scholarship.

Statement of Purpose / Fiscal Impact

Statement of Purpose RS17201C1

This is a fiscal year 2008 trailer appropriation bill to H217 to provide funding for the Idaho Opportunity Scholarship.

Fiscal Note

The fiscal impact to the General Fund is as follows:

Scholarship Corpus: \$10,000,000 (one-time)

Scholarships: \$1,925,000 (ongoing)

Administrative Costs: \$75,000 (ongoing)

Total: \$12,000,000

Contact: Matt Freeman 334-4740
Legislative Services Office, Budget & Policy Analysis
Statement of Purpose/Fiscal Note

Bill No. H329

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**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

SUBJECT

Approval Pending rules governing the Idaho Promise Scholarship Program, IDAPA 08.01.13

REFERENCE

August 9-10, 2007

The Temporary and Proposed Rules were approved by the Board at the August 9-10, 2007 Board meeting.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105 (1) Executive Department, Idaho Code.

BACKGROUND

During the 2007 session, statutory changes were made to Sections 33-4304 and 33-4307, Idaho Code, in order to allow students who are home schooled to be eligible for consideration for the Idaho Promise Category A Scholarship.

DISCUSSION

The Robert R. Lee Promise Scholarship Program is the primary merit-based scholarship program for Idaho students. It is intended to “keep the best and brightest students” in Idaho for their postsecondary education. There are essentially two scholarships covered under this program, Promise A and Promise B. The statutory changes to the Promise Scholarship statutes apply mainly to the Promise A eligibility criteria. The most significant change is that the new statute recognizes successful completion of secondary school requirements in Idaho as opposed to “graduation from an Idaho secondary school or its equivalent.” Home schooled students are eligible for consideration. Another change removes “rank in class” as one of the selection criteria. It is expected that the changes will allow for more Idaho students to be considered for selection. The number of scholarships will still be determined by the amount of funding provided by the legislative appropriation.

The statutory changes necessitated modification to the existing program rules so that the rules would remain aligned with current statute. At the same time, the rules were rewritten to enhance the organization and to highlight the two separate scholarship programs governed by these rules.

No changes to rule have been made since the initial presentation of the temporary and proposed rules.

IMPACT

The Promise A Scholarship program is funded for the 2007-2008 year with an appropriation of \$331,300. This will fund 110 scholarships in the amount of \$3000. There were more than 750 applicants for the Promise A scholarships and 180 of these applicants were eligible for consideration. The Promise B Scholarship program is funded at \$4,446,700 for the 2007-2008 year. This

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program is estimated to serve approximately 7,600 qualifying Idaho students in their first four semesters at qualifying Idaho Institutions.

ATTACHMENTS

Attachment 1 – Temporary and Proposed rules governing the Promise Scholarship Program Page 3

Attachment 2 – Sections 33-4304 thru 33-4315, Idaho Code Page 15

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the Pending rules for the Promise Scholarship Program, IDAPA 08.01.13.

BOARD ACTION

A motion to approve the Pending rules for the Promise Scholarship Program, IDAPA 08.01.13, and to vacate the current rule regarding the Promise Scholarship program.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

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Attachment 1

**IDAPA 08
TITLE 01
CHAPTER 05**

08.01.05 - IDAHO PROMISE SCHOLARSHIP PROGRAM

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to the authority of the State Board of Education (the Board) under Section 33-105 and Title 33, Chapter 43, Idaho Code. ()

001. TITLE AND SCOPE.

These rules shall be known as IDAPA 08.01.05, "Idaho Promise Scholarship Program." These rules constitute the requirements for the Idaho Promise Scholarship Program, Promise A and Promise B. ()

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code any written interpretation of the rules of this chapter are available at the Board office. ()

003. ADMINISTRATIVE APPEAL.

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

004. INCORPORATION BY REFERENCE.

There are no documents to incorporate by reference pursuant to, and in accordance with Section 67-5229, Idaho Code. ()

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

The principal place of business of the Board is in Boise, Idaho. The mailing address is PO Box 83720, Boise, ID 83720-0037. The Board's street address is 650 West State Street, Room 307, Boise, Idaho 83702. The office hours are from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. ()

006. PUBLIC RECORDS ACT COMPLIANCE.

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

007. DEFINITIONS.

These definitions are applicable to this chapter only. ()

01. Full-Time Student. An average of at least twelve (12) credit hours per semester, including any remedial coursework. ()

02. Secondary School Equivalent. The instruction of students in grades nine (9) through twelve (12), provided by home schools or other educational delivery systems or by successful completion of the General Educational Development (GED) test. ()

03. Idaho Secondary School. Any secondary school located in the state of Idaho, including secondary schools located in border school districts attended by Idaho residents in accordance with Section 33-1403, Idaho Code. ()

04. High School Record for Promise A Students. An individual's cumulative grade point average (GPA) for grades nine (9) through twelve (12), and difficulty of course load taken as certified by an official of such secondary school. ()

05. High School Record for Promise B Students. An individual's secondary school cumulative grade point average for grades nine (9) through twelve (12), or a composite score on the American College Test (ACT), or a sum of sub-scores on the ACT Computerized Adaptive Placement Assessment and Support System (COMPASS), or a combined score on the College Board's Scholastic Aptitude Test I (SAT). ()

06. Grade Point Average or GPA. Means the average earned by a student, figured by dividing the unweighted grade points earned on a scale of four point zero (4.0) by the number of credits attempted. ()

008. OBJECTIVES OF THE IDAHO PROMISE SCHOLARSHIP PROGRAM

The legislature has recognized and declared that substantial economic and social benefits accrue to the state because of an educated citizenry, and that the encouragement of the State's most talented Idaho secondary school graduates to enroll in Idaho educational institutions is an important element for assuring the future leadership in the State. See Chapter 43, Title 33, Idaho Code. The Idaho Promise Scholarship Program recognizes high standards of achievement, as measured by competitive examination and high school records of graduates of public, private, or the equivalent secondary schools in Idaho who attend public or independent postsecondary institutions in Idaho. ()

009. MONETARY VALUE OF THE SCHOLARSHIP.

01. Monetary Value. The monetary value of each Promise A and Promise B scholarship shall be set annually by the Board in accordance with Sections 33-4307(2), (3) et seq., Idaho Code. ()

02. Duration. The grant covers up to one (1) educational year or equivalent for attendance at an eligible postsecondary educational institution, as defined in Section 33-4306(1), Idaho Code. ()

010. SELECTION AND ELIGIBILITY REQUIREMENTS OF SCHOLARSHIP RECIPIENTS.

01. Selection and Eligibility Requirements. Selection and eligibility requirements for a scholarship are based upon the provisions of the Idaho Promise Scholarship Program. Applicants for the Idaho Promise Scholarship are responsible for providing to the eligible institution in which he intends to enroll and/or the Board any and all information necessary to verify a student's eligibility for the Idaho Promise Scholarship. ()

02. Educational Costs. The recipient must certify that his scholarship, if awarded, will be used only for educational costs as defined in Section 33-4306, Idaho Code. ()

03. Enrollment. The recipient must pursue an undergraduate course of study leading to a degree, certificate, diploma, or other documentation of completion, which requires at least six (6) months, or equivalent of consecutive attendance. Furthermore, the applicant shall not enroll in an educational program leading directly to a baccalaureate degree in theology or divinity. ()

04. Compliance. The recipient must comply with all the provisions of the Idaho Promise Scholarship Program and these rules. ()

011. ADMINISTRATION.

The Board has delegated to the Board office the responsibility for the administration of the Idaho Promise Scholarship Program. As administrator, the Board office is responsible for releasing any public information regarding the Idaho Promise Scholarship Program, determination of scholarship recipients, determination of procedures for payment of scholarships to recipients, maintaining fiscal controls and accounting procedures, preparing annual reports as required, and authorizing release of all forms, affidavits, and certification necessary for the operation of the program. ()

012. AUTHORITY OF THE BOARD.

With the sole exception of the ability to audit the Idaho Promise Scholarship Program as set forth in Section 013 of this chapter, these rules do not grant any authority to the Board to control or influence the policies of any eligible, nonpublic postsecondary education institution or community college because those institutions accept as students recipients of the Idaho Promise Scholarship, nor do these rules require any institution to admit or, once admitted, retain a recipient of an Idaho Promise Scholarship. ()

013. AUDIT.

Participating institutions shall agree in advance to submit to regular, periodic audits by the legislative auditor and/or an auditor designated by the Board to ensure compliance with the statutes, rules, and policies governing the Idaho Promise Scholarship Program. ()

014-- 099. (RESERVED).

100. PROMISE A SCHOLARSHIP.

The following sections, 100-108, specifically relate to the Idaho Promise A Scholarship.

101. PROMISE A NUMBER OF SCHOLARSHIPS.

The total number of initial and continuing scholarships will not exceed the number authorized in the Idaho Promise Scholarship Program or by the appropriation to support the program, whichever is less. The number of initial scholarships to individuals enrolled in academic and professional-technical programs shall be determined annually by the Board. If the number of qualified professional-technical applicants is not sufficient, additional awards will be given to qualified academic applicants. ()

102. PROMISE A PRIORITY FOR AWARD.

In the event the state of Idaho does not provide an appropriation sufficient to support the maximum number of scholarships authorized by the Idaho Promise Scholarship Program, the priority for initial and continuing scholarships will be as follows: ()

01. Highest Priority. Highest priority is given to continuing recipients in an order beginning with the date of the initial award. However, in the event further priority must be established among continuing recipients, the recipient's rank within his academic or professional-technical major and class will be used, with priority given to the recipient with a higher ranking within his academic or professional-technical major and class. ()

02. Secondary Priority. Secondary priority is given to initial scholarship recipients until the appropriation is exhausted or the maximum number of initial scholarships authorized by the Idaho Promise Scholarship Program is reached, whichever is less. ()

103. PROMISE A SCHEDULE FOR APPLICATION, NOTICE, AND RESPONSE TO COMMUNICATIONS.

01. Initial Applications. Completed applications for initial scholarships must be submitted to the Board office electronically no later than January 15 for the awarding of initial scholarships for such year. An applicant without electronic capabilities may submit an application on the form established by the Board through the United States Postal Service, which must be postmarked no later than January 15. ()

02. Announcement of Award. Announcement of award of initial scholarships will be made no later than May 1 of each year, with awards to be effective July 1 of that year. ()

03. Deadline for Acceptance. An applicant notified that he has been selected as a recipient must respond in writing by the date specified regarding his intent to accept the award. Failure to submit a response of acceptance in writing will result in forfeiture of the scholarship. ()

04. Communication With State Officials. Applicants for either initial or continuing scholarships must respond by the date specified to any communication from officials of the Idaho Promise Scholarship Program. Failure to respond within the time period specified will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved. ()

104. PROMISE A RESPONSIBILITIES OF SCHOLARSHIP APPLICANTS AND RECIPIENTS.

01. Application for Initial Scholarship. Applicants for the Idaho Promise Scholarship are responsible for any errors or omissions in the information provided on the electronic, or paper, application form or to the eligible postsecondary institutions. The Board, the Board office, any official of a secondary school in Idaho, an eligible postsecondary educational institution in Idaho, American College Testing, and any official of the Idaho Promise Scholarship Program, individually or collectively, are not responsible for any information provided by an applicant on the electronic, or paper, application form or for any errors or omissions in the information provided by the applicant. In addition, each applicant must submit the required standardized test scores. Applications submitted without the required standardized scores are incomplete and will not be considered for the scholarship. ()

02. Submission of Application. Applicants for initial Idaho Promise A Scholarships are responsible for submitting completed electronic application forms to the Idaho Promise Scholarship Program at the Board office. ()

03. Unused Scholarship Balances. Following the initial award of the scholarship, each recipient is responsible for remitting any reasonable unused scholarship balances to their institutions on behalf of the Board in the event the recipient discontinues attendance before the end of any semester, quarter, term, or equivalent. ()

105. PROMISE A SELECTION AND ELIGIBILITY.

Applicants who intend to enroll in academic programs at eligible Idaho postsecondary educational institutions are selected as recipients on the basis of their high school record and GPA as defined in this chapter. Applicants who intend to enroll in professional-technical programs at eligible Idaho postsecondary educational institutions are selected on the basis of performance on the ACT COMPASS exam and GPA in grades nine through twelve (9-12). To be eligible for consideration, the criteria used during the selection process for Promise A applicants are as follows: ()

01. High School Record and GPA. Academic applicants must have a cumulative GPA of three point five (3.5) or better on a scale of four point zero (4.0). Professional-technical applicants must have a cumulative GPA of two point eight (2.8) or better on a scale of four point zero (4.0). ()

02. ACT Composite Score. Academic applicants must verify an ACT composite score of twenty-eight (28) or better. ()

03. COMPASS Score. Professional-technical applicants must provide a copy of their ACT COMPASS report, which must include scores from the Writing Skills, Reading Skills and Mathematics sections of the COMPASS. Alternatively, professional-technical applicants may submit a copy of their ACT report, which will be equated to Compass Writing skills, Reading skills and Mathematics. Scores on the COMPASS report will be evaluated as a whole and used to rank professional-technical applicants. ()

04. Attendance. The applicant must declare his intention of enrolling at an eligible public or private postsecondary educational institution in Idaho (as defined in Section 33-4306(1), Idaho Code) during the academic year immediately following his completion of secondary school, or its equivalent in the state of Idaho. ()

05. ACT, GPA and Ranking. Academic applicants are ranked against other academic applicants, and professional-technical applicants are ranked against other professional – technical applicants as follows:

a.. Equal weight is given to the academic applicant's performance on the prescribed ACT measurements and the applicant's cumulative GPA. ()

b. Equal weight is given to the professional-technical applicant's performance on the ACT COMPASS exam, or comparable score on the ACT exam equated to Compass Writing skills, Reading skills, and Mathematics, and cumulative GPA. ()

106. PROMISE A CONTINUING ELIGIBILITY.

The total grant payments over a period of six (6) years to an individual may not exceed four (4) annual grants. To remain eligible for renewal of a scholarship following the successful completion of the first or freshman year of study, the scholarship recipient must comply with all of the provisions of the Idaho Promise Scholarship Program and these rules in addition to the following requirements: ()

01. Credit Hours. A scholarship recipient must enroll in and complete at least an average of twelve (12) credit hours per semester during the educational year in which the recipient receives the award at an eligible postsecondary institution. ()

02. GPA. A scholarship recipient who does not meet the GPA and enrollment requirements at the end of the educational year will forfeit the scholarship in subsequent years. ()

03. Transfer Of Scholarship. A scholarship recipient who transfers from one eligible postsecondary educational institution in Idaho to another must comply with all of the requirements of the Idaho Promise Scholarship Program and these rules to maintain eligibility for the scholarship. The Promise A scholarship recipient must file a statement with the Board office declaring his intention to transfer as a full-time undergraduate student in an academic or professional-technical program in an eligible postsecondary educational institution in Idaho for the succeeding year no later than sixty (60) days prior to the first day of the academic term in which the student intends to enroll. ()

04. Eligibility Following Interruption of Continuous Enrollment. A Promise A recipient whose continuous enrollment is interrupted for more than four (4) months for any reason but who intends to re-enroll in an eligible postsecondary educational institution in Idaho must file a letter of intent to interrupt continuous enrollment no later than sixty (60) days prior to the first day of the academic term of the discontinued attendance. Failure to do so may result in forfeiture of the scholarship. The Board office will review each request for interruption and notify

the applicant of approval or denial of the request. In addition, the recipient must file a statement with the Board office declaring his intent to re-enroll as a full-time undergraduate student in an academic or professional-technical program in an eligible postsecondary institution in Idaho for the succeeding academic year no later than thirty (30) days prior to the first day of the academic term in which the student intends to re-enroll. ()

05. Promise A Recipient. ()

a. Must file a statement with the Board office each year declaring his intention to continue as a full-time undergraduate student in an academic or professional-technical program at an eligible postsecondary educational institution in Idaho for the succeeding year. The Board office will provide to each eligible institution a list of anticipated recipients. The education official of each institution shall certify to the Board office the current cumulative GPA of those recipients attending said institution. ()

b. Must maintain high standards of performance in his academic or professional-technical major and class, with a cumulative GPA of three point zero (3.0) or better. ()

107. PROMISE A PAYMENT OF SCHOLARSHIPS.

01. Award. Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, quarters, or equivalent units. In no instance will the entire amount of a scholarship be paid in advance to or on behalf of a scholarship recipient.

02. Promise A Payments. Payments are made in the name of the recipient and will be sent to a designated official at the postsecondary educational institution in which the recipient is enrolled. The official must certify the applicant's eligibility, and if eligible, transmit the payment to the recipient within a reasonable time following receipt of the payment. ()

108. PROMISE A ADDITIONAL RESPONSIBILITIES OF POSTSECONDARY INSTITUTIONS.

01. Certification of Enrollment. The officials must certify that scholarship recipients have actually enrolled as full-time students. Such certification for Promise A recipients must be submitted when requested by Board office staff, and no later than thirty (30) days following the end of the regular enrollment period. ()

02. Withdrawal from Institution. In the event a scholarship recipient withdraws from the college, school, or university, the officials at the college, school, or university must certify to the Board office that the recipient has withdrawn. Furthermore, in the event a recipient withdraws from all classes during a semester, quarter, term, or equivalent, the officials must remit to the Board office the amount of any tuition or fees refunded as a result of the withdrawal, after first having returned funds to federal aid programs as required by federal statute, up to the full amount of the scholarship received for the current semester, quarter, term, or equivalent. The following additional provisions apply if a scholarship recipient withdraws from the institution: ()

a. The refund to the Promise Scholarship Program shall be calculated as follows: refund due to the student from the educational institution minus any refund applied towards federal financial aid repayments, as calculated in accordance with the Federal Return of Title IV Funds Formula, provides the refund due the Promise Scholarship, up to the total amount the student received for the term. The educational institution must remit the balance if any as provided in Section 108 of this chapter. ()

b. In the event of extreme hardship as determined by the professional judgment of the designated official at the educational institution, a student may request to the educational institution a waiver of

remittance. Members of the National Guard or Reserves who have been ordered to active military duty are eligible for a waiver of remittance. Each institution shall provide to the Board office an accounting of all waivers granted.

()

c. In the event that the full amount of the student's scholarship for the semester, quarter, term, or equivalent is returned to the state, that semester, quarter, term, or equivalent shall not be considered in determining the student's eligibility for renewal.

()

03. Annual Educational Costs. The officials must certify that the Idaho Promise A Scholarship award does not exceed the average educational costs for students who will be enrolled during the succeeding year.

()

109-- 199. (RESERVED).

200. PROMISE B SCHOLARSHIP.

The following sections, 200-207, specifically relate to the Idaho Promise B Scholarship.

201. PROMISE B NUMBER OF SCHOLARSHIPS -- PRIORITY FOR AWARD.

The total number of scholarships awarded to Promise B students will be determined annually by the Board based on the number of eligible students as certified by the eligible postsecondary institutions, the individual award amount, and the availability of funds.

()

202. PROMISE B PRIORITY FOR AWARD.

In the event that the state of Idaho does not provide an appropriation sufficient to award the maximum amount of the scholarship authorized by Section 33-4307(3)(a), Idaho Code then recipients of Promise A Scholarships shall not be eligible to receive Promise B Scholarships. In addition, the Board may proportionally decrease the amount of the Promise B Scholarship so as to provide an award to all eligible students.

()

203. PROMISE B SCHEDULE FOR APPLICATION, NOTICE, AND RESPONSE TO COMMUNICATIONS.

Applicants for either initial or continuing scholarships must respond by the date specified to any communication from officials of the Idaho Promise Scholarship Program Failure to respond within the time period specified will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved.

()

204. PROMISE B SELECTION AND ELIGIBILITY.

A student who first enrolls in an eligible Idaho postsecondary institution and who meet the eligibility requirements of the Idaho Promise B Scholarship as verified by the designated financial aid or scholarship office of the eligible institution will receive the Promise B Scholarship. Criteria used to determine eligibility includes the following:()

01. Grade Point Average for Promise B Scholarship. Applicants must have a cumulative secondary school (grades nine (9) through twelve (12)) GPA of three point zero (3.0) or better on a scale of four point zero (4.0).

()

02. ACT or Equivalent Score. Applicants who do not have a three point zero (3.0) grade point average must verify a composite score of twenty (20) or better on the ACT assessment, or a corresponding score on the SAT I as established on the ACT/SAT I equivalency table, or at least a combined score of one hundred ninety-five (195) from the Writing Skills, Reading Skills and Algebra areas of the ACT COMPASS examination.

()

03. Completion Requirements. The applicant must have completed secondary school or its equivalent in the state of Idaho as defined in Section 007 of this chapter. ()

04. Age Requirements. An individual must be under the age of twenty-two (22) on July 1 of the educational year in which the initial award is made. ()

05. Full-Time. An individual must enroll as a full-time student. ()

205. PROMISE B CONTINUING ELIBILITY.

The total grant payments over a period of four (4) years to an individual may not exceed two (2) annual payments. To remain eligible for renewal of a scholarship following the successful completion of the first or freshman year of study, the scholarship recipient must comply with all of the provisions of the Idaho Promise Scholarship Program and these rules in addition to the following requirements: ()

01. Credit Hours. A scholarship recipient must enroll in and complete at least an average of twelve (12) credit hours per semester during the educational year in which the recipient receives the award at an eligible postsecondary institution. ()

02. GPA. A scholarship recipient who does not meet the GPA and enrollment requirements at the end of the educational year will forfeit the scholarship in subsequent years. ()

03. Transfer of Scholarship. A scholarship recipient who transfers from one eligible postsecondary educational institution in Idaho to another must comply with all of the requirements of the Idaho Promise Scholarship Program and these rules to maintain eligibility for the scholarship. ()

04. Eligibility Following Interruption of Continuous Enrollment. A Promise B recipient whose continuous enrollment is interrupted for more than four (4) months for any reason but who intends to re-enroll in an eligible postsecondary education institution in Idaho must contact the financial aid office at the eligible postsecondary institution to request reinstatement of remaining Promise B eligibility. The student must have met the eligibility requirements prior to the interruption of continuous enrollment, and may not attend a non-eligible institution in the interim. The student must notify the financial aid office at the eligible postsecondary institution within the first semester (term) of resumed attendance regarding reinstatement of eligibility in order to qualify for continued Promise B scholarship eligibility.

05. Promise B Recipient. The Promise B recipient must maintain high standards of performance by achieving and maintaining a two point five (2.5) cumulative GPA on a four point zero (4.0) system. ()

206. PROMISE B PAYMENT OF SCHOLARSHIPS.

Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, quarters, or equivalent units. In no instance will the entire amount of a scholarship be paid in advance to or on behalf of a scholarship recipient. ()

01. Promise B Payments. Payments will be sent to a designated official at the eligible postsecondary educational institution based upon the estimated number of recipients expected to enroll at the institution as provided for in Section 207 of this chapter. The official must transmit the payment to the recipients within a reasonable time following receipt of the payment. Transmittal of funds for the scholarship will be in accordance with a schedule established by the Board office. The schedule will also establish dates by which the following activities will occur to ensure accurate and timely payments to the postsecondary institutions on behalf of recipients. ()

02. Number of Estimated Recipients. The postsecondary educational institutions must submit to the Board office the estimated number of Idaho Promise B fall term and spring term recipients each educational year.

()

03. Semester Payment Schedule. The Board office shall distribute scholarship funds to a designated official at the postsecondary educational institutions at least fifteen (15) days prior to the start of the fall and spring academic terms.

()

04. Mid-semester Adjustments. The postsecondary educational institution must submit mid-semester scholarship adjustment information, including refunds resulting from withdrawal from the institution, which reports the actual number of students who were eligible to receive the Promise B Scholarship to the Board office each academic term of the educational year.

()

a. Where the postsecondary educational institution has underestimated the number of scholarship recipients, the Board office will send an additional payment on behalf of those students to the educational institutions each academic term of the educational year.

()

b. Where the postsecondary educational institution has overestimated the number of fall recipients, the Board office will deduct the amount overpaid to the educational institution from its spring semester payment. Spring semester overpayments to the educational institutions must be refunded to the Board office prior to the end of the educational year.

()

05. Year-End Final Report. The postsecondary educational institution must submit to the Board office prior to the end of the educational year a final report indicating for each term the number of students that received an Idaho Promise B scholarship and the number of Promise B scholarships that were matched by the institution. Any outstanding overpayment made to the institution during the educational year must accompany the final year-end report.

207. PROMISE B ADDITIONAL RESPONSIBILITIES OF POSTSECONDARY INSTITUTIONS.

In addition to other responsibilities provided for in this chapter, officials of Idaho postsecondary educational institutions in which scholarship recipients have enrolled are responsible for the following:

()

01. Number of Promise B Recipients. The total number of grants to Promise B students will be determined annually.

()

a. The officials of eligible Idaho postsecondary educational institution are responsible for identifying eligible Promise B recipients in accordance with Promise Scholarship Program and these rules.

()

b. The officials must provide to the Board office an estimation of the number of Idaho Promise B recipients enrolled at the postsecondary institution during each of the corresponding academic terms.

()

02. Annual Report to Board. The officials must report annually to the Board office the number of students for each term receiving a Promise B award and the number of awards that were matched by the institution.

()

03. Annual Educational Costs. The officials must certify that the Idaho Promise B Scholarship award does not exceed the average educational costs for students who will be enrolled during the succeeding year.

()

04. Certification of Enrollment. The officials must certify that scholarship recipients have actually enrolled as full-time students. Such certification for Promise B recipients must be submitted within thirty (30) days following the end of the regular enrollment period. ()

05. Withdrawal from Institution. In the event a scholarship recipient withdraws from the educational institution, the officials at the educational institution must certify to the Board office that the recipient has withdrawn. Furthermore, in the event a recipient withdraws from all classes during a semester, quarter, term, or equivalent, the officials must remit to the Board office the amount of any tuition or fees refunded as a result of the withdrawal, after first having returned funds to federal aid programs as required by federal statute, up to the full amount of the scholarship received for the current semester, quarter, term, or equivalent. The following additional provisions apply if a scholarship recipient withdraws from the institution: ()

a. The refund to the Promise Scholarship Program shall be calculated as follows: refund due to the student from the educational institution minus any refund applied towards federal financial aid repayments, as calculated in accordance with the Federal Return of Title IV Funds Formula, provides the refund due the Promise Scholarship, up to the total amount the student received for the term. The educational institution must remit the balance if any as provided in Section 207 of this chapter. ()

b. In the event of extreme hardship as determined by the professional judgment of the designated official at the educational institution, a student may request to the educational institution a waiver of remittance. Members of the National Guard or Reserves who have been ordered to active military duty are eligible for a waiver of remittance. Each institution shall provide to the Board office an accounting of all waivers granted. ()

c. In the event that the full amount of the student's scholarship for the semester, quarter, term, or equivalent is returned to the state, that semester, quarter, term, or equivalent shall not be considered in determining the student's eligibility for renewal. ()

208-- 299. (RESERVED).

300. APPEAL PROCEDURE.

Any Promise B applicant or recipient adversely affected by a decision made under provisions of this chapter may appeal using the institution's financial aid appeals process. Any Promise A applicant, recipient, or eligible postsecondary educational institution, or any Promise B applicant who desires further consideration of an appeal after the institutional decision has been reached, may appeal to the Board. The applicant, recipient, or eligible postsecondary educational institution must submit the appeal in writing no later than thirty (30) days following notice of the decision, and the written statement must include a statement of the reason the applicant, recipient, or eligible postsecondary educational institution believes the decision should be changed. The appeal must be submitted to the president of the Board in care of the Board office, which must acknowledge receipt of the appeal within seven (7) days. The president of the Board may or may not agree to review the action, or may appoint a subcommittee of three (3) persons, including at least one (1) financial aid administrator at an eligible postsecondary educational institution in Idaho. ()

01. Transmittal to Subcommittee. If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the president of the Board within fifteen (15) days from the time the subcommittee receives the appeal document. The applicant, recipient, or institution initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal. ()

02. Subcommittee Recommendations. Following the subcommittee's decision, the president of the Board will present the subcommittee's recommendation to the Board at the next regularly scheduled meeting of the Board. The applicant, recipient, or eligible postsecondary educational institution initiating the appeal may, at the discretion of the president of the Board, be permitted to make a presentation to the Board. ()

03. Board Decision. The decision of the Board is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the Board. The Board will inform the applicant, recipient, or eligible postsecondary educational institution in writing of the decision of the Board. ()

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Attachment 2

33-4303. Short title.

The scholarship program provided for in sections 33-4303 through 33-4315, Idaho Code, shall be known and cited as the "Idaho Robert R. Lee Promise Scholarship Program."
[1974, ch. 87, § 1, p. 1178; am. 2000, ch. 206, § 1, p. 515; am. 2003, ch. 214, § 1, p. 561.]

Compiler's notes. The words "this act" refer to S.L. 1974, ch. 87, compiled as §§ 33-4303 - 33-4315.

Section 2 of S.L. 2000, ch. 206, is compiled as § 33-4305.

33-4304. Public policy.

The legislature hereby recognizes and declares that substantial economic and social benefits accrue to the state because of an educated citizenry, and that the encouragement of the state's most talented Idaho students to enroll in Idaho postsecondary educational institutions is an important element for assuring the future leadership for the state.
[1974, ch. 87, § 2, p. 1178; am. 2007, ch. 343, § 1, p. 1014.]

Compiler's notes. The 2007 amendment, by ch. 343, substituted "Idaho students" for "Idaho secondary school graduates."

33-4305. Purposes.

The purpose of this act is:

(1) To establish a state scholarship program for the most talented Idaho secondary school graduates or the equivalent, consisting of category A students with outstanding academic qualifications and category B students with a cumulative grade point average for grades nine (9) through twelve (12) of 3.0 or better or achieving an ACT score of 20 or better or who become eligible after the student's first semester or who meet any other criteria as may be established by the state board of education and the board of regents of the university of Idaho, who will enroll in undergraduate nonreligious academic and professional-technical programs in eligible postsecondary institutions in the state; and

(2) To designate the state board of education and the board of regents of the university of Idaho as the administrative agency for the state scholarship program.

[1974, ch. 87, § 3, p. 1178; am. 1999, ch. 329, § 19, p. 85; am. 2000, ch. 206, § 2, p. 515.]

Compiler's notes. Section 18 of S.L. 1999, ch. 329, is compiled as § 33-2308.

For words "this act," see Compiler's notes, § 33-4303.

Section 1 of S.L. 2000, ch. 206, is compiled as § 33-4303.

33-4306. Definitions.

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As used in this act, unless the context otherwise requires:

- (1) "Eligible postsecondary institution" means a public postsecondary organization governed or supervised by the state board of education, the board of regents of the university of Idaho, a board of trustees of a community college established pursuant to the provisions of section 33-2106, Idaho Code, or the state board for professional-technical education or any educational organization which is operated privately and not for profit under the control of an independent board and not directly controlled or administered by a public or political subdivision. A public or private educational organization becomes eligible to participate in category B grant awards if the organization agrees to match awards granted to each eligible category B student. If an institution declines to match awards, an eligible student will receive the state portion of the award to that institution.
- (2) "Educational costs" means student costs for tuition, fees, room and board, or expenses related to reasonable commuting, books and such other expenses reasonably related to attendance at a postsecondary educational institution.
- (3) "Student" means an individual resident student as defined in section 33-3717B or 33-2110B, Idaho Code, enrolled full time and carrying a sufficient number of credit hours, or their equivalent, to secure an individual's first degree, certificate, diploma or less, toward which the individual is working, in no more than the number of semesters, or equivalent, normally required by the eligible postsecondary institution in the program in which the individual is enrolled and provided that the baccalaureate degree, certificate, diploma or lesser program requires at least six (6) months or equivalent of consecutive attendance. A student engaged in a four (4) year baccalaureate program shall not be terminated from this scholarship program by having earned an intermediate degree, certificate or diploma.
- (4) "Enrollment" means the establishment and maintenance of an individual's status as a student in an eligible postsecondary institution, regardless of the term used at the institution to describe such status.
- (5) "Eligible category A student" means any individual who declares his intention to matriculate in an eligible postsecondary institution in the state of Idaho during the educational year immediately following:
 - (a) The individual's completion of secondary school or its equivalent in the state of Idaho; or
 - (b) The individual's graduation from an accredited secondary school, or completion of secondary school or its equivalent, outside of the United States, provided that the individual graduated from such school or successfully completed all requirements, and the individual and a parent of the individual were residents of the state of Idaho, within one (1) year of leaving the state due to the military status or job relocation of a parent.
- (6) "Eligible category B student" means any student, having completed secondary school or its equivalent in the state of Idaho, or outside of the United States if within one (1) year of leaving the state due to the military status or job relocation of a parent (a) the student completed such secondary school or its equivalent, and (b) the student and a

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parent of the student were residents of the state of Idaho, and who enrolls as a student in an eligible postsecondary institution in the state of Idaho prior to reaching twenty-two (22) years of age. To maintain eligibility a student must achieve and maintain a 2.5 cumulative grade point average while enrolled in an eligible postsecondary institution. Students meeting the requirements of this subsection who were not eligible for a grant in the first term of postsecondary education and who achieve and maintain a 2.5 cumulative grade point average based on a 4.0 system in an eligible postsecondary institution will become eligible for grant payments in subsequent school terms.

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

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

(9) "Competitive examination" means standardized examination(s) measuring achievement administered annually on a voluntary basis on a specified date and at specified locations announced publicly.

(10) "High school record," for category A students, shall be defined by the state board of education and the board of regents of the university of Idaho and shall include, but need not be limited to, an individual's cumulative grade point average and such other measure that demonstrates difficulty of course load taken and extraordinary academic performance, and which for Idaho secondary school graduates is certified by an official of such secondary school.

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

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

[1974, ch. 87, § 4, p. 1178; am. 1979, ch. 72, § 1, p. 178; am. 1999, ch. 329, § 20, p. 852; am. 2000, ch. 206, § 3, p. 515; am. 2002, ch. 117, § 1, p. 331; am. 2005, ch. 210, § 7, p. 626; am. 2007, ch. 343, § 2, p. 1014.]

Compiler's notes. For words "this act," see Compiler's notes, § 33-4303.

Section 21 of S.L. 1999, ch. 329, is compiled as § 33-4603.

Sections 6 and 8 of S.L. 2005, ch. 210 are compiled as §§ 33-3720 and 33-4403, respectively.

The 2007 amendment, by ch. 343, in subsection (5)(a), substituted "completion of secondary school or its equivalent" for "graduation from an accredited secondary school"; in subsection (5)(b), inserted "or completion of secondary school or its equivalent" and "or successfully completed all requirements"; in subsections (10) and (11), substituted "shall include" for "may include"; and in subsection (10), substituted the language beginning "an individual's cumulative grade point average" for "an individual's rank in his secondary school class, grade point average, and difficulty of course load taken as certified by an official of such secondary school, and the

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individual's secondary school department as evaluated by at least two (2) officials of such secondary school."

33-4307. Eligibility - Maximum amounts - Conditions.

A grant may be awarded to an eligible student for matriculation at an eligible postsecondary educational institution in the state of Idaho if:

(1) The individual is accepted for enrollment as a full-time undergraduate or professional-technical student, as follows:

(a) In the case of an individual beginning his first year or freshman year of postsecondary education, he has satisfied the requirements for admission and has enrolled in an eligible postsecondary institution.

(b) In the case of an individual enrolled in an eligible postsecondary institution following the successful completion of the first term, he continues to meet the requirements of this act and has maintained such high standards of performance as may be required. Provided that high academic standards are maintained in accordance with requirements of this chapter, a student continues to be eligible when transferring from one (1) major program to another.

(c) In the case of an individual transferring from one (1) eligible postsecondary institution in Idaho to another eligible postsecondary institution in Idaho, he continues to meet the requirements of this act, is accepted and enrolled at the eligible postsecondary institution to which he is transferring, and has maintained such high standards of performance as may be required.

(2) The grant for category A students is as follows:

(a) The grant payment to an individual per educational year for attendance on a full-time basis is not in excess of an amount determined annually by the state board of education or in excess of the total educational costs as certified by an official of the eligible postsecondary institution to be attended by the individual receiving the grant, whichever is less.

(b) The total grant payments over a period of six (6) years to an individual may not exceed four (4) annual grants or the total educational costs for four (4) educational years completed as certified by an official of the eligible postsecondary institution or institutions attended by the individual receiving the grant, whichever is less.

(c) The individual receiving such a grant signs an affidavit stating that the grant will be used for educational costs only.

(d) The grant is awarded on the basis of extraordinary performance in standardized, unweighted competitive examination and high school record.

(e) The individual receiving the grant is not precluded from receiving other financial aid, awards, or scholarships, provided the total of the grant and such other financial aid,

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awards or scholarships does not exceed the total educational costs for attendance at an eligible postsecondary institution as certified by an official of the eligible postsecondary institution to be attended by the individual receiving the grant.

(f) Grant payments shall correspond to academic terms, semesters, quarters or equivalent time periods at an eligible postsecondary institution; in no instance may the entire amount of a grant for an educational year, as defined in section 33-4306(8), Idaho Code, be paid to or on behalf of such student in advance.

(g) The individual has complied with such rules as may be necessary for the administration of this act.

(3) The grant for category B students is as follows:

(a) The grant payment to an individual per educational year for attendance on a full-time basis is not in excess of an amount determined annually by the state board of education and the board of regents of the university of Idaho and not to exceed one thousand two hundred dollars (\$1,200) per year including the required match.

(b) The total grant payments over a period of four (4) years to an individual may not exceed two (2) annual grants.

(c) The individual receiving such a grant signs an affidavit stating that the grant will be used for educational costs only.

(d) The grant is awarded on the basis of a high school record of a 3.0 grade point average or an ACT composite score of 20 or better and other criteria as may be established by the state board of education and the board of regents of the university of Idaho.

(e) The individual receiving the grant is not precluded from receiving other financial aid, awards or scholarships except that category A student award recipients are not eligible for category B awards.

(f) Grant payments shall correspond to academic terms, semesters, quarters or equivalent time periods at an eligible postsecondary institution; in no instance may the entire amount of a grant for an educational year, as defined in section 33-4306(8), Idaho Code, be paid to or on behalf of such student in advance. The first grant payments pursuant to this section for category B students shall be made in the fall of 2001 or in the first fall academic term following an appropriation and when moneys are available to implement the category B scholarship program, whichever date is later.

(g) The individual has complied with such rules as may be necessary for the administration of this chapter.

(h) All eligible postsecondary institutions will report annually to the state board of education and the board of regents of the university of Idaho the number of students for each term receiving a grant award and the number of awards that were matched by the institution.

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[1974, ch. 87, § 5, p. 1178; am. 1979, ch. 72, § 2, p. 178; am. 1990, ch. 403, § 1, p. 1128; am. 1993, ch. 346, § 2, p. 1288; am. 2000, ch. 206, § 4, p. 515; am. 2004, ch. 355, § 1, p. 1060; am. 2007, ch. 343, § 3, p. 1014.]

Compiler's notes. For words "this act," see Compiler's notes, § 33-4303.

Section 3 of S.L. 1979, ch. 72 is compiled as § 33-4310.

Section 1 of S.L. 1993, ch. 346 is compiled as § 33-4302A.

Section 3 of S.L. 1993, ch. 346 declared an emergency. Approved April 1, 1993.

The 2007 amendment, by ch. 343, updated the section reference in subsection (2)(f).

Collateral References.

Construction and application of agreement by medical or social work student to work in particular position or at particular location in exchange for financial aid in meeting costs of education. 83 A.L.R.3d 1273.

33-4308. Maximum number of grants.

(1) The total number of grants to eligible category A students shall not exceed one hundred (100) per year, nor a cumulative total number of grants of four hundred (400) outstanding at any given time.

(2) The total number of grants to category B students will be determined annually by the state board of education and the board of regents of the university of Idaho based on the number of eligible students, the individual award amount and the availability of funds.
[1974, ch. 87, § 6, p. 1178; am. 2000, ch. 206, § 5, p. 515.]

33-4309. Remittance in case of discontinued attendance.

A grant may be made annually for a period not to exceed an educational year. If the student discontinues attendance before the end of any semester, quarter, term, or equivalent, covered by the grant after receiving payment under this act, the eligible postsecondary institution shall remit, up to the amount of any payments made under this grant, any prorated tuition, fees or room and board balances to the state board of education and the board of regents of the university of Idaho. The student shall be required to remit, up to the amount of any other reasonable grant balances, such grant balances to the state board of education and the board of regents of the university of Idaho. In the event of extreme hardship as determined by the state board of education and the board of regents of the university of Idaho, a student may request waiver of remittance.

[1974, ch. 87, § 7, p. 1178; am. 2000, ch. 206, § 6, p. 515.]

Compiler's notes. For words "this act," see Compiler's notes, § 33-4303.

Section 7 of S.L. 2000, ch. 206, is compiled as § 33-4313.

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Collateral References.

Construction and application of agreement by medical or social work student to work in particular position or at particular location in exchange for financial aid in meeting costs of education. 83 A.L.R.3d 1273.

33-4310. Discrimination prohibited.

The grants shall be awarded to eligible students without regard to any student's race, creed, color, sex, national origin, ancestry, age or area of academic competence.
[1974, ch. 87, § 8, p. 1178; am. 1979, ch. 72, § 3, p. 178.]

Compiler's notes. Section 2 of S.L. 1979, ch. 72 is compiled as § 33-4307.

Section 4 of S.L. 1979, ch. 72 declared an emergency. Approved March 17, 1979.

33-4311. Certifications of enrollment and termination of attendance of grant recipients.

Eligible postsecondary institutions which accept students under the provisions of this act shall be required to comply with procedures for certification of enrollment of recipients of such grants, and shall be required to certify the termination of attendance by recipients of such grants within thirty (30) days following such termination.
[1974, ch. 87, § 9, p. 1178.]

Compiler's notes. For words "this act," see Compiler's notes, § 33-4303.

33-4312. State board of education and board of regents of University of Idaho as administrative agency.

The state board of education and the board of regents of the University of Idaho is hereby designated as the administrative agency for the state scholarship program created by this act.
[1974, ch. 87, § 10, p. 1178.]

Compiler's notes. For words "this act," see Compiler's notes, § 33-4303.

33-4313. Duties of board.

The state board of education and the board of regents of the university of Idaho shall be responsible for:

- (1) Supervision of the issuance of public information concerning the provisions of this act.
- (2) Determination of recipients of grants made pursuant to the provisions of this act.

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- (3) Adoption of rules necessary for processing and approving applications from students.
- (4) Determination of the procedures for payment of grants to recipients.
- (5) Maintenance of fiscal controls and fund accounting procedures as may be necessary to assure proper disbursement of funds.
- (6) Submission of annual reports to the governor and legislature.
- (7) Establishment of a reasonable and fair appeal procedure for those students and institutions who may have been adversely affected by the application procedures.
- (8) Holding a public hearing, prior to the adoption of rules, for the purpose of providing interested parties with the opportunity of discussing such rules.
- (9) Acceptance of funds from public and private sources, and such funds may be expended pursuant to appropriation to the state board of education and the board of regents of the university of Idaho for expenditure consistent with the purposes of this chapter.
- (10) In the event funds from the millennium fund are used for category B scholarships, the state board of education and the board of regents of the university of Idaho may establish additional eligibility criteria for scholarship recipients.
[1974, ch. 87, § 11, p. 1178; am. 2000, ch. 206, § 7, p. 515.]

Compiler's notes. For words "this act," see Compiler's notes, § 33-4303.

Section 6 of S.L. 2000, ch. 206, is compiled as § 33-4309.

33-4314. Appointment of administrator and staff.

The state board of education and the board of regents of the University of Idaho may appoint an administrator and such other staff; the administrator shall perform such duties as are prescribed by the state board of education and the board of regents of the University of Idaho.

[1974, ch. 87, § 12, p. 1178.]

33-4315. No control of nonpublic institutions which accept grant recipients.

This act shall not be construed as granting any authority to the state board of education and the board of regents of the University of Idaho to control or influence the policies of any eligible nonpublic postsecondary institution or junior college because such institution accepts individuals who receive grants, nor to require any such institution to admit, or, once admitted, to continue in such institution any individual receiving a grant.

[1974, ch. 87, § 13, p. 1178.]

Compiler's notes. For words "this act," see Compiler's notes, § 33-4303.

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Section 14 of S.L. 1974, ch. 87, reads: "The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this act."

Collateral References.

Public payment of tuition, scholarship, or the like, as respects sectarian school. 81 A.L.R.2d 1309.

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

TITLE 33
EDUCATION
CHAPTER 1
STATE BOARD OF EDUCATION

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

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SUBJECT

Approval of Pending Rule Governing Thoroughness (language clean up), IDAPA 08.02.03

REFERENCE

N/A

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105 (1) Rules – Executive Department, Idaho Code

Section 33-1612 Thorough System of Public Schools, Idaho Code

BACKGROUND

The Idaho State Board of Education has been administering the Idaho Standards Achievement Tests (ISAT) since the spring of 2003. As the test has developed over time, the rule needs to be kept current and accurate to assure understandability and consistency of interpretation, especially with the changes made as a result of the independent study of alignment, validity, and reliability and the federal peer review. A review of the rules also revealed that some definitions referenced within the rule did not exist. Application of the rule during the recent appeals process has revealed some areas that need to be strengthened. Several Board members have directed a change in the requirements for alternate graduation mechanisms in the districts.

DISCUSSION

Changes in the rule are being proposed to:

- Require districts to establish an alternate graduation mechanism for students not passing the ISAT by the fall of their senior year; require districts to resubmit existing plans for review and comment by the Board
- Include the Idaho English Language Assessment (IELA) for English language learners and the Idaho Alternate Assessment (IAA) for the one percent of special education students with significant cognitive impairment in the state's comprehensive assessment program
- Increase security requirements for assessments by requiring that anyone with opportunity to view test items sign a confidentiality agreement; require that districts keep these agreements on file for review for at least two years
- Include the IELA proficiency levels in the rule
- Include a description of the IELA Annual Measurable Achievement Objectives (AMAOs)
- Include new and/or updated definitions
- Provide more precise links to the Board web page for materials adopted by reference
- Eliminate redundant or outdated language from the rule

IMPACT

With the Board's approval, the rule will be more current and complete in reflecting the current requirements of the state's comprehensive assessment program, including identifying and integrating all assessments and assuring more

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appropriate security measures. The Board will be able to promote greater quality for district designed alternate graduation mechanisms, and the schools and districts in the state will have a better reference tool for clearly identifying state requirements. The following changes have been made to the pending rule: calendar year 2007 requirements regarding graduation remain in the rule; requirement for the Board to approve district alternate graduation mechanisms has been removed; and the final sentence in Section 111.01 has been struck to not assign assessment responsibility by rule.

ATTACHMENTS

Attachment 1 – Pending Rules Governing Thoroughness

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STAFF COMMENTS AND RECOMMENDATIONS

The changes in the rule will provide more clarity in interpretation and application of the rule by the public, districts, schools, and staff. The rule will also better conform to federal requirements and goals of the Board. Staff recommends approving the proposed changes.

BOARD ACTION

A motion to approve the Pending Rules Governing Thoroughness, 08.02.03 as presented.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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Attachment 1

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.03 - RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-0704

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 33-105, Idaho Code and Public Law 107-110 (“No Child Left Behind”) Section 1111.b.3.C.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 17, 2007

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This rulemaking will add updated definitions that reflect current terminology and usage, eliminate redundant and outdated language, update the rules to include all assessments in Idaho’s state system.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to IDAPA 04.11.01.811, negotiated rulemaking was not conducted because the rulemaking is non-controversial in nature.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Sandra DeKlotz at (208) 332-1580.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 24, 2007

DATED this 9th day of August, 2007

Karen L. Echeverria
Governmental Affairs Officer
State Board of Education
650 West State Street
PO Box 83720-0037
Boise, ID 83720-0037
(208) 332-1567 phone
(208) 334-2632 FAX

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FOLLOWING IS THE TEXT OF DOCKET NO. 08-0203-0704

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule:

(3-30-07)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education on November 1, 2006. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/index.asp> <http://www.boardofed.idaho.gov/saa/wLimits.asp>. (3-30-07)()

02. The Idaho English Language Development Standards. The Idaho English Language Development Standards as adopted by the State Board of Education on August 10, 2006. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/lep/index.asp> <http://www.boardofed.idaho.gov/lep/documents/IdahoMap072706A.pdf>. (3-30-07)()

03. The Limited English Proficiency Program Annual Measurable Achievement Objectives (AMAOs) and Accountability Procedures. The Limited English Proficiency Program Annual Measurable Achievement Objectives and Accountability Procedures as adopted by the State Board of Education on August 10, 2006. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/lep/index.asp> http://www.boardofed.idaho.gov/lep/StFed_regs.asp. (3-30-07)()

04. The Idaho English Language Assessment (IELA) Achievement Standards. The Idaho English Language Assessment (IELA) Achievement Standards as adopted by the State Board of Education on August 10, 2006. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/lep/index.asp> <http://www.boardofed.idaho.gov/lep/documents/IELACutScores.pdf>. (3-30-07)()

05. The Idaho Standards Achievement Tests (ISAT) Achievement Standards. Achievement Standards as adopted by the State Board of Education on May 30, 2007. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/index.asp> <http://www.boardofed.idaho.gov/saa/achievement.asp>. (5-30-07)F()

06. The Idaho Alternative Assessment Extended Content Standards. The Idaho Alternative Assessment Extended Content Standards as adopted by the State Board of Education on April 20, 2006. Copies of the document can be found at the State Board of Education website at <http://www.boardofed.idaho.gov/index.asp> <http://www.boardofed.idaho.gov/saa/altAssessStandards.asp>. (11-1-06)F()

07. The Idaho Alternative Assessment Extended Achievement Standards. Alternative Assessment Extended Achievement Standards as adopted by the State Board of Education on April 20, 2006. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/index.asp> <http://www.boardofed.idaho.gov/saa/altAssessStandards.asp>. (11-01-06)F()

(BREAK IN CONTINUITY OF SECTIONS)

007. DEFINITIONS A - G.

01. Achievement Standards. Define below basic, basic, proficient, and advanced achievement levels on the Idaho Standards Achievement Tests (ISAT) and beginning, advanced beginning, intermediate, early fluent and fluent on the Idaho English Language Assessment (IELA) by setting scale score cut points. These cut scores are paired with descriptions of how well students are mastering the material in the content standards. These descriptions are called performance level descriptors or PLDs, and are provided by performance level, by content area, by grade. ()

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02. Advanced Opportunities. Are defined as Advanced Placement courses, Dual Credit courses, Tech Prep, or International Baccalaureate programs. (4-11-06)

023. Advanced Placement® (AP) - <http://www.collegeboard.com>. The Advanced Placement Program is administered by the College Board. AP students may take one (1) or more college level courses in a variety of subjects. AP courses are not tied to a specific college curriculum, but rather follow national College Board curricula. While taking the AP exam is optional, students can earn college credit by scoring well on the national exams. It is up to the discretion of the receiving college to accept the scores from the AP exams to award college credit or advanced standing. (4-11-06)

034. All Students. All students means all public school students, grades K-12. (4-11-06)

045. Alternative Assessment (Other Ways of Testing). Any type of assessment in which students create a response to a question rather than choose a response from a given list, as with multiple-choice or true/false. Alternative assessments can include short-answer questions, essays, oral presentations, exhibitions, and portfolios. (4-5-00)

056. Assessment. The process of quantifying, describing, or gathering information about skills, knowledge or performance. (4-5-00)

067. Assessment Standards.

~~a.~~ Statements setting forth guidelines for evaluating student work, as in the “Standards for the Assessment of Reading and Writing”; (4-5-00)()

~~b. — Measures of student performance.~~ (4-5-00)

078. Authentic. Something that is meaningful because it reflects or engages the real world. An “authentic task” asks students to do something they might really have to do in the course of their lives, or to apply certain knowledge or skills to situations they might really encounter. (4-5-00)

089. Basic Educational Skills Training. Instruction in basic skills toward the completion/attainment of a certificate of mastery, high school diploma, or GED. (4-5-00)

0910. Classic Texts. Literary or other works (e.g., films, speeches) that have been canonized, either continuously or intermittently, over a period of time beyond that of their initial publication and reception. (4-5-00)

11. Content Standards. Describe the knowledge, concepts, and skills that students are expected to acquire at each grade level in each content area. ()

102. Context (Of a Performance Assessment). The surrounding circumstances within which the performance is embedded. For example, problem solving can be assessed in the context of a specific subject (such as mathematics) or in the context of a real-life laboratory problem requiring the use of mathematics, scientific, and communication skills. (4-5-00)

113. Cooperative Work Experience. Classroom learning is integrated with a productive, structured work experience directly related to the goals and objectives of the educational program. Schools and participating businesses cooperatively develop training and evaluation plans to guide and measure the progress of the student. School credit is earned for successful completion, and the work may be paid or unpaid. Cooperative work experiences are also known as co-operative education or co-op. (4-5-00)

124. Criteria. Guidelines, rules or principles by which student responses, products, or performances, are judged. What is valued and expected in the student performance, when written down and used in assessment, become rubrics or scoring guides. (4-5-00)

135. Cues. Various sources of information used by readers to construct meaning. The language cueing

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systems include the graphophonic (also referred to as graphophonemic) system, which is the relationship between oral and written language (phonics); the syntactic system, which is the relationship among linguistic units such as prefixes, suffixes, words, phrases, and clauses (grammar); and semantic system, which is the study of meaning in language. Reading strategies and language cueing systems are also influenced by pragmatics-the knowledge readers have about the ways in which language is understood by others in their culture. (4-5-00)

146. “C” Average. A combined average of courses taken on a four (4) point scale with “C” equal to two (2) points. (4-11-06)

157. Decode. (4-5-00)

a. To analyze spoken or graphic symbols of a familiar language to ascertain their intended meaning. (4-5-00)

b. To change communication signals into messages, as to decode body language. (4-5-00)

168. Dual Credit. Dual credit allows high school students to simultaneously earn credit toward a high school diploma and a postsecondary degree or certificate. Postsecondary institutions work closely with high schools to deliver college courses that are identical to those offered on the college campus. Credits earned in a dual credit class become part of the student’s permanent college record. Students may enroll in dual credit programs taught at the high school or on the college campus. (4-11-06)

179. Emergent Literacy. Development of the association of print with meaning that begins early in a child’s life and continues until the child reaches the stage of conventional reading and writing. (4-5-00)

1820. Employability Skills. Work habits and social skills desirable to employers, such as responsibility, communication, cooperation, timeliness, organization, and flexibility. (4-5-00)

1921. Entry-Level Skills. The minimum education and skill qualifications necessary for obtaining and keeping a specific job; the starting point in a particular occupation or with a certain employer. (4-5-00)

202. Evaluation (Student). Judgment regarding the quality, value, or worth of a response, product, or performance based on established criteria, derived from multiple sources of information. Student evaluation and student assessment are often used interchangeably. (4-5-00)

213. Experiential Education (Application). Experiential education is a process through which a learner constructs knowledge, skill, and value from direct experiences. (4-5-00)

224. Exploratory Experience (Similar to a Job Shadow). An opportunity for a student to observe and participate in a variety of worksite activities to assist in defining career goals. An in-school exploratory experience is a school-based activity that simulates the workplace. (4-5-00)

235. Fluency. The clear, rapid, and easy expression of ideas in writing or speaking; movements that flow smoothly, easily, and readily. (4-5-00)

246. Genre (Types of Literature). A category used to classify literary and other works, usually by form, technique, or content. Categories of fiction such as mystery, science fiction, romance, or adventure are considered genres. (4-5-00)

257. Graphophonic/Graphophonemic. One (1) of three (3) cueing systems readers use to construct texts; the relationships between oral and written language (phonics). (4-5-00)

008. DEFINITIONS H - S.

01. Interdisciplinary or Integrated Assessment. Assessment based on tasks that measures a student’s ability to apply concepts, principles, and processes from two (2) or more subject disciplines to a project,

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issue, or problem.

(4-5-00)

02. International Baccalaureate (IB) - <http://www.ibo.org/ibo/index.cfm>. Administered by the International Baccalaureate Organization, the IB program provides a comprehensive liberal arts course of study for students in their junior and senior years of high school. IB students take end-of-course exams that may qualify for college credit. Successful completion of the full course of study leads to an IB diploma. (4-11-06)

03. Laboratory. A laboratory science course is defined as one in which at least one (1) class period each week is devoted to providing students with the opportunity to manipulate equipment, materials, specimens or develop skills in observation and analysis and discover, demonstrate, illustrate or test scientific principles or concepts. (4-11-06)

04. Learning Plan. The plan that outlines a student's program of study, which should include a rigorous academic core and a related sequence of electives in academic, professional-technical education (PTE), or humanities aligned with the student's post graduation goals. (4-11-06)

05. Narrative. Text in any form (print, oral, or visual) that recounts events or tells a story. (4-5-00)

06. Norm-Referenced Assessment. Comparing a student's performance or test result to performance of other similar groups of students; (e.g., he typed better than eighty percent (80%) of his classmates.) (4-5-00)

07. On-Demand Assessment. Assessment that takes place at a predetermined time and place. Quizzes, state tests, SATs, and most final exams are examples of on-demand assessment. (4-5-00)

08. Performance Assessment. Direct observation of student performance or student work and professional judgment of the quality of that performance. Good quality performance assessment has pre-established performance criteria. (4-5-00)

09. Performance-Based Assessment. The measurement of educational achievement by tasks that are similar or identical to those that are required in the instructional environment, as in performance assessment tasks, exhibitions, or projects, or in work that is assembled over time into portfolio collections. (4-5-00)

10. Performance Criteria. A description of the characteristics that will be judged for a task. Performance criteria may be holistic, analytic trait, general or specific. Performance criteria are expressed as a rubric or scoring guide. Anchor points or benchmark performances may be used to identify each level of competency in the rubric or scoring guide. (4-5-00)

11. Phonics. Generally used to refer to the system of sound-letter relationships used in reading and writing. Phonics begins with the understanding that each letter (or grapheme) of the English alphabet stands for one (1) or more sounds (or phonemes). (4-5-00)

12. Portfolio. A collection of materials that documents and demonstrates a student's academic and work-based learning. Although there is no standard format for a portfolio, it typically includes many forms of information that exhibit the student's knowledge, skills, and interests. By building a portfolio, students can recognize their own growth and learn to take increased responsibility for their education. Teachers, mentors, and employers can use portfolios for assessment purposes and to record educational outcomes. (4-5-00)

13. Print Awareness. In emergent literacy, a learner's growing awareness of print as a system of meaning, distinct from speech and visual modes of representation. (4-5-00)

14. Professional-Technical Education. Formal preparation for semi-skilled, skilled, technical, or paraprofessional occupations, usually below the baccalaureate level. (4-11-06)

15. Proficiency. Having or demonstrating a high degree of knowledge or skill in a particular area. (4-5-00)

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16. School-to-Work Transition. A restructuring effort that provides multiple learning options and seamless integrated pathways to increase all students' opportunities to pursue their career and educational interests. (4-5-00)

17. Service Learning. Combining service with learning activities to allow students to participate in experiences in the community that meet actual human needs. Service learning activities are integrated into the academic curriculum and provide structured time for a student to think, talk, or write about what was done or seen during the actual service activity. Service learning provides students with opportunities to use newly acquired skills and knowledge in real-life situations in their communities, and helps foster the development of a sense of caring for others. (4-5-00)

18. Skill Certificate. Portable, industry-recognized credential that certifies the holder has demonstrated competency on a core set of performance standards related to an occupational cluster area. Serving as a signal of skill mastery at benchmark levels, skill certificates may assist students in finding work within their community, state, or elsewhere. A National Skills Standards Board is presently charged with issuing skill voluntary standards in selected occupations based on the result of research and development work completed by twenty-two (2) contractors. (4-5-00)

19. Standards. Statements about what is valued in a given field, such as English language arts, and/or descriptions of what is considered quality work. See content standards, assessment standards, and performance achievement standards. (4-5-00)()

20. Standardization. A set of consistent procedures for constructing, administering and scoring an assessment. The goal of standardization is to ensure that all students are assessed under uniform conditions so the interpretation of performance is comparable and not influenced by differing conditions. Standardization is an important consideration if comparisons are to be made between scores of different individuals or groups. (4-5-00)

21. Standards-Based Education. Schooling based on defined knowledge and skills that students must attain in different subjects, coupled with an assessment system that measures their progress. (4-5-00)

22. Structured Work Experience. A competency-based educational experience that occurs at the worksite but is tied to the classroom by curriculum through the integration of school-based instruction with worksite experiences. Structured work experience involves written training agreements between school and the worksite, and individual learning plans that link the student's worksite learning with classroom course work. Student progress is supervised and evaluated collaboratively by school and worksite personnel. Structured work experience may be paid or unpaid; may occur in a public, private, or non-profit organization; and may or may not result in academic credit and/or outcome verification. It involves no obligation on the part of the worksite employer to offer regular employment to the student subsequent to the experience. (4-5-00)

23. Student Learning Goals (Outcomes). Statements describing the general areas in which students will learn and achieve. Student learning goals typically reflect what students are expected to know by the time they leave high school, such as to read and communicate effectively; think critically and solve problems; develop positive self-concept, respect for others and healthy patterns of behavior; work effectively in groups as well as individually; show appreciation for the arts and creativity; demonstrate civic, global and environmental responsibility; recognize and celebrate multicultural diversity; exhibit technological literacy; have a well developed knowledge base which enhances understanding and decision making, and demonstrate positive problem solving and thinking skills. (4-5-00)

(BREAK IN CONTINUITY OF SECTIONS)

102. INSTRUCTIONAL REQUIREMENTS.

All schools will deliver a core of instruction and advisement programs (see Section 108, Guidance Programs) for each student in elementary schools, middle schools/junior high and high schools. (4-5-00)

01. Standards. All students will meet standards established locally (at a minimum, the standards of

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the state) through rigorous accountability, which include challenging examinations, demonstrations of achievement, and other appropriate tests and measures. (4-5-00)

~~02. Curriculum Guides. The State Department of Education Curriculum Guides and any Achievement Standards Samples of Application may be used voluntarily and are designed to assist school districts as they develop educational programs and achievement standards. Notwithstanding the above, the State Division of Professional Technical Education will prepare curriculum guides and instructional aids for professional technical education programs in the public schools. (Section 33118, Idaho Code) (3-15-02)~~

(BREAK IN CONTINUITY OF SECTIONS)

105. GRADUATION FROM HIGH SCHOOL.

A student must meet all of the following requirements before the student will be eligible to graduate from an Idaho high school: (4-11-06)

01. Credit Requirements. (3-30-07)

a. (Effective for all students that graduate prior to January 1, 2013.) Each students shall demonstrate achievement in the CORE and other required subjects to include forty-two (42) semester credits, one (1) semester equaling one-half (1/2) year. (3-30-07)

b. (Effective for all students that enter the ninth grade in the fall of 2009 or later.) Each student shall complete the requirements found in Section 107 and other subjects to include forty-six (46) semester credits, one (1) semester equaling one-half (1/2) year. (3-30-07)

02. Achievement Standards. Each student shall meet locally established subject area ~~achievement~~ standards (using state content standards as minimum requirements) demonstrated through various measures of accountability including examinations or other measures. ~~(4-11-06)()~~

03. Proficiency ~~(Effective January 1, 2006)~~. Each student shall achieve a proficient or advanced score on the ~~High School Grade 10~~ Idaho Standards Achievement Test (ISAT) in order to graduate. A student who does not attain at least a proficient score prior to graduation may appeal to the school district or LEA, and, ~~at the discretion of the school district or LEA, may shall~~ be given an opportunity to demonstrate proficiency of the ~~achievement content~~ standards through some other locally established mechanism. All locally established mechanisms used to demonstrate proficiency shall be forwarded to the State Board of Education for review and information. A district or LEA with an alternate mechanism on file with the Board on the effective date of this rule must re-submit the plan to the Board. An alternate mechanism must be re-submitted to the Board by a district or LEA whenever changes are made in the plans. (4-11-06)

a. Before ~~appealing to the school district or LEA for entering~~ an alternate measure, the student must be: ~~(4-11-06)()~~

i. Enrolled in a special education program and have an Individual Education Plan (IEP), or (3-20-04)

ii. Enrolled in an Limited English Proficient (LEP) program for three (3) academic years or less, or (3-20-04)

iii. Enrolled in the fall semester of the senior year. (3-20-04)

b. The measure must be aligned at a minimum to tenth grade state content standards; (3-20-04)

c. The measure must be aligned to the state content standards for the subject matter in question; (3-20-04)

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- d. The measure must be valid and reliable; and (3-20-04)
- e. Ninety percent (90%) of the criteria of the measure, or combination of measures, must be based on academic proficiency and performance. (3-20-04)
- 04. Foreign Exchange Students.** Foreign exchange students may be eligible for graduation by completing a comparable program as approved by the school district or LEA. (4-11-06)
- 05. Special Education Students.** A student who is eligible for special education services under the Individuals with Disabilities Education Improvement Act must, with the assistance of the student's Individualized Education Program (IEP) team, refer to the current Idaho Special Education Manual for guidance in addressing graduation requirements. (4-11-06)

(BREAK IN CONTINUITY OF SECTIONS)

107. HIGH SCHOOL GRADUATION REQUIREMENTS.

01. Requirements. (Effective for all students that graduate prior to January 31, 2013.) The State minimum graduation requirement for all Idaho public high schools is forty-two (42) semester credits and a proficient or advanced score on the ISAT ~~(effective January 1, 2006)~~. The core of instruction required by the State Board of Education is twenty-five (25) semester credits. Local school districts may establish graduation requirements beyond the state minimum. The local school district has the responsibility to provide education opportunities that meet the needs of students in both academic and professional-technical areas. It is the intent of the State Board of Education to give local school districts the flexibility to provide rigorous and challenging curriculum that is consistent with the needs of students and the desire of their local patrons. ~~(3-30-07)~~()

02. Requirements. (Effective for all students that enter the ninth grade in the fall of 2009 or later.) The State minimum graduation requirement for all Idaho public high schools requires that a student take a minimum of forty-six (46) semester credits and achieve a proficient or advanced score on the ISAT. (3-30-07)

a. Twenty-nine (29) semester credits are required as listed in Subsections 107.03 through 107.08; and (3-30-07)

b. A minimum of seventeen (17) elective credits. (3-30-07)

c. All credit-bearing classes must be aligned with state high school standards in the content areas for which standards exist. (3-30-07)

d. Local school districts or LEAs may establish graduation requirements beyond the state minimum. The local school district or LEA has the responsibility to provide educational opportunities that meet the needs of students in both academic and professional technical areas. It is the intent of the State Board of Education to give local school districts the flexibility to provide rigorous and challenging curriculum that is consistent with the needs of students and the desire of their local patrons. (3-30-07)

03. Secondary Language Arts and Communication. Eight (8) credits required that includes four (4) years of instruction in English, each year will consist of language study, composition, and literature. One (1) credit of instruction in communications including oral communication and technological applications that includes a course in speech, a course in debate, or a sequence of instructional activities that meet the state high school communications standards requirements. (3-30-07)

04. Mathematics. (3-30-07)

a. Mathematics. (Effective for all students that graduate prior to January 31, 2013.) Eight (8) credits required, a minimum of four (4) credits in math and four (4) credits in science, two (2) of which will be laboratory

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based. Secondary mathematics includes Applied Mathematics, Business Mathematics, Algebra, Geometry, Trigonometry, Fundamentals of Calculus, Probability and Statistics, Discrete Mathematics, and courses in mathematical problem solving and reasoning. Secondary sciences will include instruction in applied sciences, earth and space sciences, physical sciences, and life sciences. (3-30-07)

b. Mathematics. (Effective for all students that enter the ninth grade in the fall of 2009 or later.) Six (6) credits required. Secondary mathematics shall include instruction in the following areas: (3-30-07)

i. Two (2) semesters of Algebra I or courses that meet Algebra I standards as approved by the State Department of Education; (3-30-07)

ii. Two (2) semesters of Geometry or courses that meet Geometry standards as approved by the State Department of Education; and (3-30-07)

iii. Two (2) semesters of mathematics of the student's choice. (3-30-07)

iv. Two (2) semesters of the required six (6) credits of mathematics must be taken in the last year of high school. (3-30-07)

c. If a student completes any required high school course with a grade of C or higher before entering grade nine (9), and if that course meets the same standards that are required in high school, then the student has met the high school content area requirement. However the student must complete six (6) credits of high school math in addition to the courses completed in middle school. (3-30-07)

05. Science. (Effective for all students that enter the ninth grade in the fall of 2009 or later.) Six (6) credits required. (3-30-07)

a. Secondary sciences shall include instruction in the following areas: (3-30-07)

i. Biology; (3-30-07)

ii. Physical science or chemistry; and (3-30-07)

iii. Earth, space, environment, or approved applied science. (3-30-07)

b. Four (4) credits of courses outlined in Subsection 107.05.a. must be laboratory based. (3-30-07)

c. If a student completes any required high school course with a grade of C or higher before entering grade nine (9), and if that course meets the same standards that are required in high school, then the student has met the high school content area requirement. However, the student must complete six (6) credits of high school science in addition to the courses completed in middle school. (3-30-07)

06. Social Studies. (Five (5) credits required), including government (two (2) credits), United States history (two (2) credits), and economics (one (1) credit). Current world affairs and geography will be integrated into all social studies instruction. Courses such as geography, sociology, world affairs, and world history may be offered as electives, not to be counted as a social studies requirement. (4-11-06)

07. Humanities. (Two (2) credits required). A course in interdisciplinary humanities, visual and performing arts, or world language. Other courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if the course syllabus is approved by the State Department of Education as being aligned with the Humanities Standards. (4-11-06)

08. Health/Wellness. (One (1) credit required). A course focusing on positive health habits. (7-1-00)

09. College Entrance Examination. (Effective for all students that enter the ninth grade in the fall of 2009 or later.) A student must take one (1) of the following college entrance examinations before the end of the

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student's eleventh grade year: COMPASS, ACT or SAT. Scores must be included in the Learning Plan. (3-30-07)

10. Senior Project. (Effective for all students that enter the ninth grade in the fall of 2009 or later.) A student shall complete a senior project that shall include a research paper and oral presentation by the end of grade twelve (12). (3-30-07)

11. Assessment. A student must achieve a proficient or advanced score on the Grade 10 ISAT in the tenth, eleventh, or twelfth grade. A student is not required to achieve a proficient or advanced score on the ISAT if: (4-11-06)()

a. A student received a proficient or advanced scored on an exit exam from another state that requires a standards-based exam for graduation. The state's exit exam shall be approved by the State Board of Education, and must measure skills at the tenth grade level or above and be in comparable subject areas to the ISAT; (4-11-06)

b. A student ~~appeals for~~ completes another measure ~~approved~~ established by a district or LEA and reviewed by the Board as outlined in Subsection 105.03; or (4-11-06)()

c. A student has an IEP that outlines alternate requirements for graduation. (4-11-06)

~~**d.** The requirement will be phased in providing the following exemptions for the calendar year of 2006 and 2007. (4-11-06)~~

~~i. Calendar year of 2006. A student is not required to achieve a proficient or advanced score on the ISAT if: (4-11-06)~~

~~(1) A student took the ISAT and was within six (6) Rasch Units (RIT points) of proficiency; (4-11-06)~~

~~(2) A student has a score of seventeen (17) on the ACT or two hundred (200) on the SAT in English and a score of nineteen (19) on the ACT or four hundred sixty (460) on the SAT in Math; (4-11-06)~~

~~(3) A student has an IEP that outlines alternate requirements for graduation; (4-11-06)~~

~~(4) A student is considered an LEP student through a score determined on the state language proficiency test and has been in an LEP program for three (3) academic years or less; (4-11-06)~~

~~(5) A student received a proficient or advanced score on an exit exam from another state that requires a standards-based exam for graduation. The state exit exams must be approved by the State Board of Education, measure skills at the tenth grade level or above and be in comparable subject areas to the ISAT; or (4-11-06)~~

~~(6) A student appeals for another measure approved by the school district or LEA as outlined in Subsection 105.03. (4-11-06)~~

ii. Calendar year of 2007. A student is not required to achieve a proficient or advanced score on the ISAT if: (3-30-07)

(1) A student took the ISAT and was within three (3) RIT points of proficiency; (4-11-06)

(2) A student has an IEP that outlines alternate requirements for graduation or adaptations are recommended on the test; (4-11-06)

(3) A student is considered an LEP student through a score determined on a language proficiency test and has been in an LEP program for three (3) academic years or less; (4-11-06)

(4) A student received a proficient or advanced score on an exit exam from another state that requires a standards-based exam for graduation. The state exit exams must be approved by the State Board of Education,

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measure skills at the tenth grade level or above and be in comparable subject areas to the ISAT; or (4-11-06)

(5) A student appeals for another measure approved by the school district or LEA as outlined in Subsection 105.03. (4-11-06)

iii. Calendar year of 2008 and subsequent classes. A student is not required to achieve a proficient or advanced score on the ISAT if: (3-30-07)

(1) A student has an IEP that outlines alternate requirements for graduation or adaptations are recommended on the test; (3-30-07)

(2) A student is considered an LEP student through a score determined on a language proficiency test and has been in an LEP program for three (3) academic years or less; (3-30-07)

(3) A student received a proficient or advanced score on an exit exam from another state that requires a standards-based exam for graduation. The state exit exams must be approved by the State Board of Education, measure skills at the tenth grade level or above and be in comparable subject areas to the ISAT; or (3-30-07)

(4) A student appeals for another measure approved by the school district or LEA as outlined in Subsection 105.03. (3-30-07)

(BREAK IN CONTINUITY OF SECTIONS)

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)

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- 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), the Idaho English Language Assessment, and the Idaho Standards Achievement Tests (ISAT), and the Idaho Alternate Assessment. (3-20-04)(____)

04. Testing Population. All students in Idaho public schools, grades kindergarten through ~~ten~~ twelve (K-~~10~~12), 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 below the fluent level on the Idaho English Language Assessment~~ and have an Education Learning Plan (ELP), shall be given the ISAT with accommodations or adaptations as outlined in the ELP. Students can be categorized as LEP students for two (2) years after testing proficient on the language proficiency test and exiting the LEP program. 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~~ the IELA 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. (4-11-06)(____)

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~~ Content 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, Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)(____)

b. Grade 1 - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (3-15-02)(____)

c. Grade 2 - Idaho Reading Indicator, Grade 2 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)(____)

d. Grade 3 - Idaho Reading Indicator, Grade 3 Idaho Standards Achievement Tests and Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)(____)

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e. Grade 4 - Direct Math Assessment, National Assessment of Educational Progress, Grade 4 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)()

f. Grade 5 - Direct Writing Assessment, Grade 5 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)()

g. Grade 6 - Direct Math Assessment, Grade 6 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)()

h. Grade 7 - Direct Writing Assessment, Grade 7 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)()

i. Grade 8 - Direct Math Assessment, National Assessment of Educational Progress, Grade 8 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)()

j. Grade 9 - Direct Writing Assessment, Grade 9 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)()

k. Grade 10 - High School Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (3-20-04)()

l. Grade 11 – Idaho English Language Assessment. ()

lm. Grade 12 - National Assessment of Educational Progress, Idaho English Language Assessment. (4-11-06)()

mn. *Students who achieve a proficient or advanced score on a portion or portions of the ISAT, or the Idaho Alternate Assessment, 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)

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)

e. The Idaho Alternate Assessment will be administered in a time period specified by the State Board of Education. ()

f. The Idaho English Language Assessment will be administered in a time period specified by the State Board of Education. ()

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)

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- 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. To ensure integrity of secure test items and protect validity and reliability of test outcomes, test security must be maintained. School districts will employ the same security measures in protecting statewide assessment materials from compromise as they use to safeguard other formal assessments. Each individual who has any opportunity to see test items must sign a state-provided confidentiality agreement, which the district must keep on file in the district for at least two (2) years. Documentation of security safeguards must be available for review by authorized state and federal personnel. (~~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~~ Content Standards. (3-20-04)
- 12. Demographic Information.** Accurate demographic information will be required must be submitted as required for each test to assist in interpreting test results. It may include but ~~is not be~~ limited to race, sex, ethnicity, and special programs, (Title I, English proficiency, migrant status, special education status, gifted and talented status, and socio-economic status). (~~5-3-03~~)()
- 13. Dual Enrollment.** For the purpose of non-public school student participation in non-academic public school activities as outlined in Section 33-203, Idaho Code, the Idaho State Board of Education recognizes the following: (3-15-02)
- a. The Idaho Standards Achievement Tests (grades 2-9 and High School). (5-3-03)
- b. A portfolio demonstrating grade level proficiency in at least five (5) of the subject areas listed in Subsections 111.13.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)

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- iv. Social Studies. (3-15-02)
- v. Health. (3-15-02)
- vi. Humanities. (3-15-02)

112. ACCOUNTABILITY.

The provisions in this section apply for the purposes of meeting the “No Child Left Behind” Act and the state of Idaho accountability requirements. (3-20-04)

01. ISAT Student Achievement Levels. There are four (4) levels of student achievement for the ISAT: Below Basic, Basic, Proficient, and Advanced. Definitions for these levels of student achievement are adopted by reference in Subsection 004.05. (3-20-04)()

~~a. Advanced: Exceeds Standards. The student demonstrates thorough knowledge and mastery of skills that allows him/her to function independently above his current educational level. (3-20-04)~~

~~i. The student demonstrates a comprehensive understanding of all relevant information. (3-20-04)~~

~~ii. The student demonstrates comprehension and understanding of knowledge and skills above his/her grade level. (3-20-04)~~

~~iii. The student can perform skills or processes independently without significant errors. (3-20-04)~~

~~b. Proficient: Meets Standards. The student demonstrates mastery of knowledge and skills that allow him/her to function independently on all major concepts and skills at his/her educational level. (3-20-04)~~

~~i. The student demonstrates a comprehensive understanding of all information relevant to the topic, at level. (3-20-04)~~

~~ii. The student can perform skills or processes independently without significant errors. (3-20-04)~~

~~c. Basic: Below Standards. The student demonstrates basic knowledge and skills usage but cannot operate independently on concepts and skills at his/her educational level. Requires remediation and assistance to complete tasks without significant errors. (3-20-04)~~

~~i. The student has an incomplete knowledge of the topic or misconceptions about some information. (3-20-04)~~

~~ii. The student requires assistance and coaching to complete tasks without errors. (3-20-04)~~

~~d. Below Basic: Critically Below Standards. The student demonstrates significant lack of skills and knowledge and is unable to complete basic skills or knowledge sets without significant remediation. (3-20-04)~~

~~i. The student has critical deficiencies of relevant knowledge of topic or misconceptions about some information. (3-20-04)~~

~~ii. The student cannot complete any skill set without significant assistance and coaching. (3-20-04)~~

02. IELA Language Proficiency Levels. There are five levels of language proficiency for students testing on the Idaho English Language Assessment: beginning, advanced beginning, intermediate, early fluent, and fluent. Definitions for these levels of language proficiency are adopted by reference in Subsections 004.02 and 004.04. ()

023. Adequate Yearly Progress (AYP). (3-20-04)

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a. Proficiency is defined as the number of students scoring proficient or advanced on the spring on-grade level ISAT. (3-20-04)

b. The State Department of Education will make AYP determinations for schools and districts each year. Results will be given to the districts no later than one (1) month prior to the first day of school. (3-20-04)

c. The baseline for AYP will be set by the Board and shall identify the amount of growth (percentage of students reaching proficiency) required for each intermediate period. (3-20-04)

034. Adequate Yearly Progress (AYP) Definitions. For purposes of calculating and reporting adequate yearly progress, the following definitions shall be applied. (3-20-04)

a. Full Academic Year (continuous enrollment). (3-20-04)

i. A student who is enrolled continuously in the same public school from the end of the first eight (8) weeks or fifty-six (56) calendar days of the school year through the end of the state approved spring testing administration period will be included in the calculation to determine if the school achieved AYP. A student is continuously enrolled if he/she has not transferred or dropped-out of the public school. Students who are serving suspensions are still considered to be enrolled students. Students who are expelled but return to another school in the same district are considered continuously enrolled to determine the district AYP. (4-6-05)

ii. A student who is enrolled continuously in the school district from the first eight (8) weeks or fifty-six (56) calendar days of the school year through the end of the state approved spring testing administration period will be included when determining if the school district has achieved AYP. (4-6-05)

iii. A student who is enrolled continuously in a public school within Idaho from the end of the first eight (8) weeks or fifty-six (56) calendar days of the school year through the end of the state approved spring testing administration period will be included when determining if the state has achieved AYP. (4-6-05)

b. Participation Rate. (3-20-04)

i. Failure to include ninety-five percent (95%) of all students and ninety-five percent (95%) of students in designated subgroups automatically identifies the school as not having achieved AYP. The ninety-five percent (95%) determination is made by dividing the number of students assessed on the Spring ISAT by the number of students reported on the class roster file for the Spring ISAT. (3-20-04)

(1) If a school district does not meet the ninety-five percent (95%) participation target for the current year, the participation rate can be calculated by the most current three (3) year average of participation. (4-6-05)

(2) Students who are absent for the entire state-approved testing window because of a significant medical emergency are exempt from taking the ISAT if such circumstances prohibit them from participating. (4-6-05)

ii. For groups of ten (10) or more students, absences for the state assessment may not exceed five percent (5%) of the current enrollment or two (2) students, whichever is greater. Groups of less than ten (10) students will not have a participation determination. (3-20-04)

c. Schools. (3-20-04)

i. An elementary school includes a grade configuration of grades Kindergarten (K) through six (6) inclusive, or any combination thereof. (3-20-04)

ii. A middle school is a school that does not meet the definition of an elementary school and contains grade eight (8) but does not contain grade twelve (12). (4-6-05)

iii. A high school is any school that contains grade twelve (12). (3-20-04)

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iv. The accountability of public schools without grades assessed by this system (i.e., K-2 schools) will be based on the third grade test scores of the students who previously attended that feeder school. (3-20-04)

d. Subgroups. Scores on the ISAT must be disaggregated and reported by the following subgroups: (3-20-04)

i. Race/Ethnicity - Black/African American, Asian, Native Hawaiian/Pacific Islander, White, Hispanic/Latino Ethnicity, American Indian/Alaska Native. (3-20-04)

ii. Economically disadvantaged - identified through the free and reduced lunch program. (3-20-04)

iii. Students with disabilities - individuals who are eligible to receive special education services through the Individuals with Disabilities Education Act (IDEA). (3-20-04)

iv. Limited English Proficient - individuals who score in the low range on the state-approved language proficiency test and meet one of the following criteria: (4-6-05)

(1) Individuals whose native language is a language other than English; or (4-6-05)

(2) Individuals who come from environments where a language other than English is dominant; or (4-6-05)

(3) Individuals who are American Indian and Alaskan natives and who come from environments where a language other than English has had a significant impact on their level of English language proficiency, and who, by reason thereof, have sufficient difficulty speaking, reading, writing, or understanding the English language to deny such individuals the opportunity to learn successfully in classrooms, where the language of instruction is English. (4-6-05)

e. Graduation Rate. The State Board of Education will establish a target for graduation. All high schools must maintain or make progress toward the target each year. The graduation rate will be disaggregated by the subpopulations listed in Subsection 112.03.d. in the event the “safe harbor” is invoked by the school/district. By 2014, the schools/districts must meet the target. (3-20-04)

f. Additional Academic Indicator. The State Board of Education will establish a target for an additional academic indicator. All elementary and middle schools must maintain or make progress toward the additional academic indicator target each year. The additional academic indicator target will be disaggregated by the subpopulations listed in Subsection 112.03.d. in the event the “safe harbor” is invoked by the school/district. By 2014, the schools/districts must meet the target. (3-20-04)

04. Annual Measurable Achievement Objectives (AMAOs). Local school districts are responsible for ensuring district progress of Limited English Proficient (LEP) students in their acquisition of English. Progress and proficiency are measured by the IELA and determined based on three (3) AMAOs: ()

a. Annual increases in the percent or number of LEP students making progress in acquiring English language proficiency. ()

b. Annual increases in the percent or number of LEP students attaining English language proficiency by the end of the school year., and ()

c. Each school district must make Adequate Yearly Progress for LEP students on the spring ISAT. ()

(BREAK IN CONTINUITY OF SECTIONS)

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115. DATA COLLECTION.

The State Department of Education will collect the required information from participating school files for state and federal reporting and decision-making. The enrollment collection will contain information about the enrollment of the student attributes such as active special education, Limited English Proficient (LEP), migrant, grade level, gender, race, and free/reduced lunch status. The collection will be done in mid-October, early February, and May (end of the testing window). Each participating school is required to verify and assure the accuracy of the data submitted in the files to assure accuracy. (3-20-04)()

(BREAK IN CONTINUITY OF SECTIONS)

210. Achievement Standards Definition.

Idaho State Board of Education's Definition of an Achievement Standard: "Specific subject criteria which, when measured, show a specific level of content knowledge and demonstrated application." (3-30-01)

211. Kinds Of Standards.

(Normally discussed when trying to define standards.)

01. Content Standards. Content standards are statements that clearly define what students should know and be able to do in various subject areas and at different points in their education. (4-5-00)

02. Performance Standards. Performance standards provide concrete examples and explicit definitions of how well students must learn the material represented by content standards. (4-5-00)

03. Assessment Standards. Assessment is the measurement of what a student knows and is able to do, usually expressed in terms of progress toward a standard. (4-5-00)

212. 214. (RESERVED).

215. Abbreviations.

01. Language Arts/Communications. (4-5-00)

a. ICTE. Idaho Council of Teachers of English. (4-5-00)

b. NCTE. National Council of Teachers of English. (4-5-00)

c. IRA. International Reading Association. (4-5-00)

d. ICIRA. Idaho Council of the International Reading Association. (4-5-00)

02. Science Committee Acronyms. (4-5-00)

a. NSTA. National Science Teachers Association. (4-5-00)

b. ISTA. Idaho Science Teachers Association. (4-5-00)

c. AAAS. American Association for the Advancement of Science. (4-5-00)

d. NRC. National Research Council. (4-5-00)

216. Glossary Of Mathematical Terms.

01. Appropriate Technology. May include paper and pencil, graph paper, simple calculators,

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graphing calculators, computers with spreadsheets, or even specialized mathematics software such as Geometer's Sketchpad or Maple. It is the decision of school districts and teachers to determine which tools are most appropriate for both instruction and application. (4 5 00)

02. Arithmetic Operations. Basic operations on numbers, including addition, subtraction, multiplication, division, and exponentiation (raising a number to a power). (4 5 00)

03. Function. One (1) of the most important and fundamental concepts in mathematics. Functions have inputs (domain values) and transform these inputs into unique outputs (range values). The function is the process or rule that accomplishes this transformation. Functions may be described by: (4 5 00)

a. Tables of values, such as a table of heights with associated idealized weights. (4 5 00)

b. Graphs, such as a chart depicting a company's daily closing stock price over the last year. (4 5 00)

c. Calculator function buttons, where the domain (input) value is the number keyed in, the function is performed by the circuitry in a chip, and the range (output) value is the number read in the display after pressing the function button. (4 5 00)

d. Spreadsheet functions, where the domain (input) value is the content of the cell referenced, the function is the subprogram that actually performs the computation, and the range (output) value is the number that is computed. (4 5 00)

e. An explicit formula, such as the squaring function " $f(x)=x^2$ " which takes any input " x " and transforms it by multiplying " x " by itself. (4 5 00)

04. The Language of Algebra. Algebra is that branch of mathematics dealing with the study of number systems. The common number systems include the natural numbers, the integers (includes zero and the negatives of the counting numbers), the rational numbers (fractions), the real numbers (decimals), and the complex numbers (like $2-4i$). Algebra uses letters and other symbols to describe general properties of numbers, to specify conditions placed on them, or to describe relationships between them. (4 5 00)

05. Linear Equation. An equation, in which the variables (unknowns) occur only to the first power,

$$4x - 3 = \sqrt{5} \quad \text{and} \quad \frac{1}{2}x - 7y = 11$$

multiplied only by constants. For example, the equations: are linear in one (1) and two (2) variables respectively, while: $x^2 + 5x + 7 = 0$ and $xy = 1$ are nonlinear equations. A linear equation in two (2) variables has a graph that is a straight line in the coordinate plane. A linear equation in three (3) variables has a graph which is a plane in 3-space. (4 5 00)

06. Linear Programming. A mathematical technique to solve optimization problems involving linear objective functions (such as maximizing profit or minimizing cost) subject to linear inequality constraints (such as amount of ingredients available, the relative proportions used, and relative costs). (4 5 00)

07. Linear System. A system of more than one (1) equation or inequalities, each using the same variables, and each linear. A solution to the system is any assignment of values to the variables that makes every equation or inequality simultaneously true. The complete solution is the set of all possible solutions. (4 5 00)

08. Mathematical Model. Equations, inequalities, functions, or other mathematical expressions that model a real world process. Realistic mathematical models are increasingly important in the modern world, especially with the increased use of powerful computers. Many processes, which formerly could only be studied by expensive laboratory experiments, can now be studied as realistic mathematical models. (4 5 00)

09. Mean, Median, and Mode. Three (3) common ways to measure the center of a set of numerical data. The mean is the arithmetic average of the data. The median is the middle value of the sorted data set with an

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odd number of items or the average of the middle two (2) values when the data contains an even number of items. The mode is the most common data value, if it exists. Of the three (3), the mean and median are more useful and frequently used. In any particular application, whether the mean or median is more appropriate depends on the data set and the intended use. (4 5 00)

10. Order of Operations. The commonly accepted rules used for reading algebraic expressions or evaluating arithmetic expressions. (4 5 00)

a. Evaluate expressions inside parentheses first. (4 5 00)

b. Within the same level of parentheses: (4 5 00)

i. Evaluate exponents first; (4 5 00)

ii. Evaluate products and/or quotients next; (4 5 00)

iii. Evaluate sums and/or differences last. (4 5 00)

c. Examples: $2 * 3^2 + 4 = 22$, $2(3^2 + 4) = 2 * 13 = 26$, $(2 * 3)^2 + 4 = 62 + 4 = 40$. (4 5 00)

11. Probability. (4 5 00)

a. The branch of mathematics dealing with chance. The experimental model is one (1) illustration of probability. Imagine an experiment with outcomes. An event is a collection of outcomes. The probability of an event is the proportion of the experiments that result in an outcome in the event. The probability of an event is always a number between zero (0) and one (1). Events with probabilities near one (1) are very likely to occur, while those with probabilities near zero (0) are very unlikely. (4 5 00)

b. Example. To estimate the probability that a randomly selected, adult American female is between sixty (60) inches and sixty six (66) inches tall, select an adult American female at random and measure her height. If one thousand (1,000) women are selected and measured, the probability would be the proportion of the experiments that selected a woman between those heights. (4 5 00)

12. Pythagorean Theorem. A theorem from Euclidean geometry about right triangles. The hypotenuse of a right triangle is the side opposite the right angle. The legs are the other two (2) sides. The theorem states that the square of the hypotenuse is the sum of the squares of the legs. (4 5 00)

13. Quadratic Equation. An equation, which can be reduced to the form $ax^2 + bx + c = 0$, with a, b, and c constants, where a does not equal 0. (4 5 00)

14. Scaling Factor. The ratio between the corresponding dimensions of two (2) figures of the same shape. (4 5 00)

15. Statistics. The branch of mathematics dealing with collecting, analyzing, and reasoning from data. The process may involve collecting all of the possible data (a census), or it may involve collecting a subset or sample of the data. The analysis may involve organizing, condensing, calculating summary measurements (statistics), or constructing graphical displays. These descriptive tools help draw conclusions about the real world from which the data originated. When appropriate, probability models provide the framework for attaching a measure of confidence to the conclusions. (4 5 00)

16. Standard Deviation. A measure of the spread of a set of numerical data. If a data set has a relatively large standard deviation, then the data is very spread out. If the standard deviation is small, the data is highly clustered. (4 5 00)

17. Tolerance. The acceptable range of accuracy of a measurement, or the allowable error in a given measurement. (4 5 00)

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~~217. -- 998. — (RESERVED).~~

999171. GIFTED AND TALENTED PROGRAMS.

- 01. Definitions.** The following definitions apply only to Section 999171 of these rules. ~~(3-30-07)~~ ()
- a.** Department. State Department of Education. (3-30-07)
- b.** District. Local school district. (3-30-07)
- c.** Gifted/talented children. Those students who are identified as possessing demonstrated or potential abilities that give evidence of high performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities Section 33-2001, Idaho Code. (3-30-07)
- d.** Governing gifted and talented educational requirements. Sections 33-201, 33-2001, 33-2003, Idaho Code. (3-30-07)
- 02. Legal Compliance.** The State Department of Education and districts shall comply with all governing gifted and talented education requirements. (3-30-07)
- 03. District Plan.** Each school district shall develop and write a plan for its gifted and talented program. The plan shall be submitted to the Department no later than October 15, 2001. The plan shall be updated and submitted every three (3) years thereafter and shall include: (3-30-07)
- a.** Philosophy statement. (3-30-07)
- b.** Definition of giftedness. (3-30-07)
- c.** Program goals. (3-30-07)
- d.** Program options. (3-30-07)
- e.** Identification procedures. (3-30-07)
- f.** Program evaluation. (3-30-07)
- 04. Screening.** The district's process for identifying gifted and talented students shall include the following steps: (3-30-07)
- a.** The district shall screen all potentially gifted and talented students to ensure they have an opportunity to be considered; and (3-30-07)
- b.** The district shall assess those students meeting the screening criteria and gather additional information concerning their specific aptitudes and educational needs; and (3-30-07)
- c.** The district shall match student needs with appropriate program options. (3-30-07)
- 05. Assessment.** Placement decisions shall not be determined by a single criterion (for instance, test scores, other measurement, teacher recommendation, or nomination). The district's identification process shall use multiple indicators of giftedness with information obtained through the following methods and sources: (3-30-07)
- a.** Procedures for obtaining information about students shall include formal assessment methods, such as group and individual tests of achievement, general ability, specific aptitudes and creativity. (3-30-07)

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b. Procedures for obtaining information about students shall also include informal assessment methods, such as checklists, rating scales, pupil product evaluations, observations, nominations, biographical data, questionnaires, interviews and grades. (3-30-07)

c. Information about students shall be obtained from multiple sources, such as teachers, counselors, peers, parents, community members, subject area experts, and the students themselves. (3-30-07)

06. Administration. The district shall designate a certificated staff person to be responsible for development, supervision, and implementation of the gifted and talented program. (3-30-07)

172. -- 999. (RESERVED).

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**TITLE 33
EDUCATION
CHAPTER 1
STATE BOARD OF EDUCATION**

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

**TITLE 33
EDUCATION
CHAPTER 16
COURSES OF INSTRUCTION**

33-1612. THOROUGH SYSTEM OF PUBLIC SCHOOLS. The constitution of the state of Idaho, section 1, article IX, charges the legislature with the duty to establish and maintain a general, uniform and thorough system of public, free common schools. In fulfillment of this duty, the people of the state of Idaho have long enjoyed the benefits of a public school system, supported by the legislature, which has recognized the value of education to the children of this state.

In continuing recognition of the fundamental duty established by the constitution, the legislature finds it in the public interest to define thoroughness and thereby establish the basic assumptions which govern provision of a thorough system of public schools.

A thorough system of public schools in Idaho is one in which:

1. A safe environment conducive to learning is provided;
2. Educators are empowered to maintain classroom discipline;
3. The basic values of honesty, self-discipline, unselfishness, respect for authority and the central importance of work are emphasized;
4. The skills necessary to communicate effectively are taught;
5. A basic curriculum necessary to enable students to enter academic or professional-technical postsecondary educational programs is provided;
6. The skills necessary for students to enter the work force are taught;
7. The students are introduced to current technology; and
8. The importance of students acquiring the skills to enable them to be responsible citizens of their homes, schools and communities is emphasized.

The state board shall adopt rules, pursuant to the provisions of chapter 52, title 67, Idaho Code, and section 33-105(3), Idaho Code, to establish a thorough system of public schools with uniformity as required by the constitution, but shall not otherwise impinge upon the authority of the board of trustees of the school districts. Authority to govern the school district, vested in the board of trustees of the school district, not delegated to the state board, is reserved to the board of trustees. Fulfillment of the expectations of a thorough system of public schools will continue to depend upon the vigilance of district patrons, the dedication of school trustees and educators, the responsiveness of state rules, and meaningful oversight by the legislature.

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SUBJECT

Approval of the Pending Rules Governing Thoroughness – Incorporation by Reference – PLD's and Cut Scores, IDAPA 08.02.03

REFERENCE

May 30, 2007

Achievement Standards including the Proficiency Level Descriptors and the Cut Scores were approved by the board in a temporary rule adopted by reference.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105 (1) Rules – Executive Department, Idaho Code

Section 33-1612 –Thorough System of Public Schools, Idaho Code

Section 67-5229 – Incorporation by Reference, Idaho Code

BACKGROUND

The Idaho State Board of Education has been administering the Idaho Standards Achievement Test (ISAT) since the spring of 2003. As part of the process, general performance levels were described, and cut-scores were set. In 2003, a standard-setting activity was conducted to establish performance expectations for Idaho students for reading, language usage, and mathematics. In a subsequent peer review done by the U.S. Department of Education, the way in which the methodology to set the original achievement standards was carried out was deemed to be “not technically acceptable.” As a result of that peer review, Idaho was asked to submit additional evidence, related to the Idaho Assessment System, to meet the Elementary and Secondary Education Act (ESEA) and No Child Left Behind (NCLB). NCLB requires that states establish Academic Achievement Standards, Performance Level Descriptors (PLDs) that describe student performance in both reading and mathematics at each of grades three through eight and ten, and associate those PLDs to scores (commonly called cut-scores) on the ISAT.

DISCUSSION

To respond to the federal requirements, an Academic Achievement Standard-Setting Activity was conducted by Data Recognition Corporation (DRC) and the Idaho State Board of Education from July 24 to July 28, 2006. Idaho reading and mathematics elementary, middle, and high school teachers came together to review and hone drafted PLDs. ISAT test items at each grade level for both content areas, previously ordered by difficulty, were reviewed to determine the difficulty associated with advanced, proficient, basic, and below basic performance levels. All of the teachers in each content area worked together in two large groups to arrive at the PLDs and Academic Achievement Standards at grade six, and then broke into grade three to five and grade seven, eight, and ten groups to complete the process. The large group reconvened to look across all grade levels. The process was repeated to set cut-scores using the test items, referring to the PLDs. At the end of the process, a small representative group met for half a day to do a last review of the results. The resulting Academic Achievement Standards require technical and alignment verification of the ISAT,

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and it is required that they be approved by the Idaho State Board of Education before they can be accepted as evidence.

The Idaho State Board of Education made a final approval of the Academic Achievement Standards (PLDs and ISAT Cut-Scores by Performance Level) attached. These Achievement Standards were put in place with a temporary rule adopting these documents by reference.

IMPACT

With the Board's approval of the Academic Achievement Standards students are able to receive ISAT scores identified by proficiency level starting with the spring 2007 administration of the ISAT.

ATTACHMENTS

Attachment 1 – Pending Rules Governing Thoroughness - Incorporation by Reference	Page 3
Attachment 2 – ISAT Cut-Scores by Performance Level	Page 5
Attachment 3 – Performance Level Descriptors	Page 7

STAFF COMMENTS AND RECOMMENDATIONS

The process implemented by DRC was exceedingly thorough and well documented, and has been nationally tested and accepted over time. The results of the process benefited from significant teacher discussion and impact data. Both psychometric and content staff were intimately involved in each step of the process. As DRC takes over the development and administration of the ISAT, it is advantageous that they have an opportunity to work, and become familiar, with the NWEA items and the Idaho content and performance standards. It is very important that the results from this technically sound process be approved by the board.

There was a public comment period and no written comments were received. No changes to the rule have been made since the initial presentation of the temporary rule. Board staff recommends approval of the Pending Rules Governing Thoroughness – Incorporation by Reference, IDAPA 08.02.03.004 as presented.

BOARD ACTION

A motion to approve the Pending Rules Governing Thoroughness – Incorporation by Reference, IDAPA 08.02.03.004

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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Attachment 1

IDAPA 08.02.03 Rules Governing Thoroughness

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-30-07)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education on ~~November 1, 2006~~ May 30, 2007. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/index.asp>. (~~3-30-07~~)(5-30-07)T

02. The Idaho English Language Development Standards. The Idaho English Language Development Standards as adopted by the State Board of Education on August 10, 2006. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/lep/index.asp>. (3-30-07)

03. The Limited English Proficiency Program Annual Measurable Achievement Objectives (AMAOs) and Accountability Procedures. The Limited English Proficiency Program Annual Measurable Achievement Objectives and Accountability Procedures as adopted by the State Board of Education on August 10, 2006. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/lep/index.asp>. (3-30-07)

04. The Idaho English Language Assessment (IELA) Achievement Standards. The Idaho English Language Assessment (IELA) Achievement Standards as adopted by the State Board of Education on August 10, 2006. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/lep/index.asp>. (3-30-07)

05. The Idaho Standards Achievement Tests (ISAT) Achievement Standards. Achievement Standards as adopted by the State Board of Education on ~~August 10, 2006~~ May 30, 2007. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/index.asp>. (~~3-30-07~~)()

06. The Idaho Alternative Assessment Extended Content Standards. The Idaho Alternative Assessment Extended Content Standards as adopted by the State Board of Education on April 20, 2006. Copies of the document can be found at the State Board of Education website at <http://www.boardofed.idaho.gov/index.asp>. (11-1-06)T

07. The Idaho Alternative Assessment Extended Achievement Standards. Alternative Assessment Extended Achievement Standards as adopted by the State Board of Education on April 20, 2006. Copies of the document can be found on the State Board of Education website at <http://www.boardofed.idaho.gov/index.asp>. (11-1-06)T

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**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

Attachment 2

New ISAT Cut Scores Approved by the State Board of Education May 30, 2007

	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10
Reading								
Advanced	208 and up	214 and up	219 and up	223 and up	227 and up	229 and up	232 and up	235 and up
Proficient	192-207	198-213	204-218	208-222	212-226	214-228	217-231	220-234
Basic	187-191	193-197	197-203	201-207	204-211	207-213	209-216	211-219
Below Basic	186 and below	192 and below	196 and below	200 and below	203 and below	206 and below	208 and below	210 and below
Math								
Advanced	204 and up	216 and up	224 and up	231 and up	237 and up	243 and up	247 and up	251 and up
Proficient	190-203	201-215	211-223	218-230	223-236	229-242	233-246	238-250
Basic	181-189	193-200	202-210	209-217	215-222	220-228	226-232	230-237
Below Basic	180 and below	192 and below	201 and below	208 and below	214 and below	219 and below	225 and below	229 and below
Language Usage								
Advanced	207 and up	216 and up	222 and up	227 and up	232 and up	236 and up	239 and up	242 and up
Proficient	196-206	203-215	209-221	214-226	218-231	221-235	224-238	226-241
Basic	188-195	195-202	201-208	206-213	209-217	213-220	216-223	218-225
Below Basic	187 and below	194 and below	200 and below	205 and below	208 and below	212 and below	215 and below	217 and below
Science								
Advanced			216 and up		219 and up			230 and up
Proficient			206-215		213-218			219-229
Basic			194-205		206-212			219-229

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Grade 3 Language Usage ISAT Proficiency Level Descriptors

Advanced

In the area of language usage, third grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- consistently identify a main idea and supporting details.
- consistently arrange ideas in sequence.
- consistently identify the purpose and audience of a piece of grade-appropriate writing.
- consistently identify logical word choice and arrange words for meaning.
- consistently revise by adding details, eliminating irrelevant details, and/or rearranging words/sentences for meaning and clarity.
- consistently identify a variety of complete simple sentences.
- regularly edit for grade-level spelling, grammar, capitalization, and punctuation.

Proficient

In the area of language usage, third grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify a main idea and supporting details.
- arrange ideas in sequence.
- identify the purpose and audience of a piece of grade-appropriate writing.
- identify logical word choice and arrange words for meaning.
- revise by adding details, eliminating irrelevant details, and/or rearranging words/sentences for meaning and clarity.
- identify a variety of complete simple sentences.
- edit for grade-level spelling, grammar, capitalization, and punctuation.

Basic

In the area of language usage, third grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- rarely identify a main idea and supporting details.
- rarely arrange ideas in sequence.
- rarely identify the purpose and audience of a piece of grade-appropriate writing.
- rarely identify logical word choice and arrange words for meaning.
- rarely revise by adding details, eliminating irrelevant details, and/or rearranging words/sentences for meaning and clarity.
- rarely identify a variety of complete simple sentences.
- rarely edit for grade-level spelling, grammar, capitalization, and punctuation.

Grade 4 Language Usage ISAT Proficiency Level Descriptors

Advanced

In the area of language usage, fourth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- consistently identify a clear main idea, supporting details, and an ending sentence.
- consistently arrange ideas in sequence and/or structure text with a beginning, a middle, and an end.
- consistently identify the purpose and intended audience of a piece of grade-appropriate writing.
- consistently identify precise words for meaning and clarity.
- consistently revise by adding relevant details, eliminating irrelevant details, and/or rearranging words/sentences for meaning and clarity.
- consistently identify a variety of complete sentences.
- regularly edit for correct sentence structure and grade-level spelling, grammar, capitalization, and punctuation.

Proficient

In the area of language usage, fourth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify a clear main idea, supporting details, and an ending sentence.
- arrange ideas in sequence and/or structure text with a beginning, a middle, and an end.
- identify the purpose and intended audience of a piece of grade-appropriate writing.
- identify precise words for meaning and clarity.
- revise by adding relevant details, eliminating irrelevant details, and/or rearranging words/sentences for meaning and clarity.
- identify a variety of complete sentences.
- edit for correct sentence structure and grade-level spelling, grammar, capitalization, and punctuation.

Basic

In the area of language usage, fourth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- rarely identify a clear main idea, supporting details, and an ending sentence.
- rarely arrange ideas in sequence and/or structure text with a beginning, a middle, and an end.
- rarely identify the purpose and intended audience of a piece of grade-appropriate writing.
- rarely identify precise words for meaning and clarity.
- rarely revise by adding relevant details, eliminating irrelevant details, and/or rearranging words/sentences for meaning and clarity.
- rarely identify a variety of complete sentences.
- rarely edit for correct sentence structure and grade-level spelling, grammar, capitalization, and punctuation.

Grade 5 Language Usage ISAT Proficiency Level Descriptors

Advanced

In the area of language usage, fifth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- consistently identify a clear main idea, supporting details, and a conclusion.
- consistently sequence text and use transition words for clarity.
- consistently identify the purpose and intended audience of a piece of grade-appropriate writing.
- consistently identify precise words and descriptive phrases for meaning and clarity.
- consistently revise by adding essential relevant details, eliminating irrelevant details, and/or rearranging sentences/paragraphs for meaning, clarity, and organization.
- consistently identify a variety of sentences with correct subject-verb agreement to create flow.
- regularly edit for correct sentence structure and grade-level spelling, grammar, capitalization, and punctuation errors.

Proficient

In the area of language usage, fifth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify a clear main idea, supporting details, and a conclusion.
- sequence text and use transition words for clarity.
- identify the purpose and intended audience of a piece of grade-appropriate writing.
- identify precise words and descriptive phrases for meaning and clarity.
- revise by adding essential relevant details, eliminating irrelevant details, and/or rearranging sentences/paragraphs for meaning, clarity, and organization.
- identify a variety of sentences with correct subject-verb agreement to create flow.
- edit for correct sentence structure and grade-level spelling, grammar, capitalization, and punctuation errors.

Basic

In the area of language usage, fifth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- rarely identify a clear main idea, supporting details, and a conclusion.
- rarely sequence text and use transition words for clarity.
- rarely identify the purpose and intended audience of a piece of grade-appropriate writing.
- rarely identify precise words and descriptive phrases for meaning and clarity.
- rarely revise by adding essential relevant details, eliminating irrelevant details, and/or rearranging sentences/paragraphs for meaning, clarity, and organization.
- rarely identify a variety of sentences with correct subject-verb agreement to create flow.
- rarely edit for correct sentence structure and grade-level spelling, grammar, capitalization, and punctuation errors.

Grade 6 Language Usage ISAT Proficiency Level Descriptors

Advanced

In the area of language usage, sixth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- consistently identify a clear focus and/or a topic sentence, supporting details, and a distinct conclusion.
- consistently sequence text correctly, using transition words to reinforce the sequence.
- consistently identify the purpose and intended audience of a piece of grade-appropriate writing.
- consistently identify precise words and descriptive phrases to enhance meaning, clarity, and style.
- consistently revise by adding essential details, eliminating irrelevant details, and/or rearranging sentences/paragraphs for meaning, clarity, organization, and style.
- consistently identify a variety of sentences with subject-verb agreement to improve flow.
- regularly edit for correct sentence structure and grade-level spelling, grammar, capitalization, and punctuation.

Proficient

In the area of language usage, sixth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify a clear focus and/or a topic sentence, supporting details, and a distinct conclusion.
- sequence text correctly, using transition words to reinforce the sequence.
- identify the purpose and intended audience of a piece of grade-appropriate writing.
- identify precise words and descriptive phrases to enhance meaning, clarity, and style.
- revise by adding essential details, eliminating irrelevant details, and/or rearranging sentences/paragraphs for meaning, clarity, organization, and style.
- identify a variety of sentences with subject-verb agreement to improve flow.
- edit for correct sentence structure and grade-level spelling, grammar, capitalization, and punctuation.

Basic

In the area of language usage, sixth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- inconsistently identify a clear focus and/or a topic sentence, supporting details, and/or a distinct conclusion.
- rarely sequence text with transition words to reinforce the sequence.
- rarely identify the purpose and audience of a piece of grade-appropriate writing.
- rarely identify precise words and descriptive phrases to enhance meaning, clarity, and style.
- rarely revise by adding essential details, eliminating irrelevant details, and/or rearranging sentences/paragraphs for meaning, clarity, organization, and style.
- rarely identify a variety of sentences with subject-verb agreement to improve flow.

- rarely edit for correct sentence structure and grade-level spelling, grammar, capitalization, and punctuation.

Grade 7 Language Usage ISAT Proficiency Level Descriptors

Advanced

In the area of language usage, seventh grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- consistently identify a clear purpose, a thesis statement and clear topic sentences, specific supporting details, and a relevant conclusion.
- consistently identify a variety of organizational strategies and transition words/phrases to clarify and support the purpose of writing.
- consistently identify the purpose and intended audience of a piece of grade-appropriate writing.
- consistently identify precise language to enhance meaning, clarity, and style.
- consistently revise by refining word choice, adding relevant details, deleting irrelevant or redundant details, and/or rearranging text to improve meaning, clarity, organization, and style.
- consistently identify a variety of sentence types for fluency and style.
- demonstrate regular command of grade-level sentence structure, spelling, grammar, capitalization, and punctuation.

Proficient

In the area of language usage, seventh grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify a clear purpose, a thesis statement and clear topic sentences, specific supporting details, and a relevant conclusion.
- identify a variety of organizational strategies and transition words/phrases to clarify and support the purpose of writing.
- identify the purpose and intended audience of a piece of grade-appropriate writing.
- identify precise language to enhance meaning, clarity, and style.
- revise by refining word choice, adding relevant details, deleting irrelevant or redundant details, and/or rearranging text to improve meaning, clarity, organization, and style.
- identify a variety of sentence types for fluency and style.
- demonstrate command of grade-level sentence structure, spelling, grammar, capitalization, and punctuation.

Basic

In the area of language usage, seventh grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- rarely identify a clear purpose, a thesis statement and clear topic sentences, specific supporting details, and a relevant conclusion.
- rarely identify a variety of organizational strategies and transition words/phrases to clarify and support the purpose of writing.
- rarely identify the purpose and intended audience of a piece of grade-appropriate writing.
- rarely identify precise language to enhance meaning, clarity, and style.
- rarely revise by refining word choice, adding relevant details, deleting irrelevant or redundant details, and/or rearranging text to improve meaning, clarity, organization, and style.

- rarely identify a variety of sentence types for fluency and style.
- demonstrate an underdeveloped command of grade-level sentence structure, spelling, grammar, capitalization, and punctuation.

Grade 8 Language Usage ISAT Proficiency Level Descriptors

Advanced

In the area of language usage, eighth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- consistently identify a clear focus, specific and varied support, and a relevant conclusion.
- consistently identify logical organizational strategies and a variety of transition words/phrases to clarify and support the purpose of writing.
- consistently identify the purpose and intended audience of a piece of grade-appropriate writing.
- consistently identify precise language and consistent voice to improve meaning, clarity, and style.
- consistently revise by refining word choice, adding relevant details, deleting irrelevant or redundant details, and/or rearranging text to enhance meaning, clarity, organization, and style.
- consistently identify a variety of sentences to enhance fluency, style, and voice.
- demonstrate regular command of grade-level sentence structure, spelling, grammar, capitalization, and punctuation.

Proficient

In the area of language usage, eighth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify a clear focus, specific and varied support, and a relevant conclusion.
- identify logical organizational strategies and a variety of transition words/phrases to clarify and support the purpose of writing.
- identify the purpose and intended audience of a piece of grade-appropriate writing.
- identify precise language and consistent voice to improve meaning, clarity, and style.
- revise by refining word choice, adding relevant details, deleting irrelevant or redundant details, and/or rearranging text to enhance meaning, clarity, organization, and style.
- identify a variety of sentences to enhance fluency, style, and voice.
- demonstrate command of grade-level sentence structure, spelling, grammar, capitalization, and punctuation.

Basic

In the area of language usage, eighth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- rarely identify a clear focus, specific and varied support, and a relevant conclusion.
- rarely identify logical organizational strategies and a variety of transition words/phrases to clarify and support the purpose of writing.
- rarely identify the purpose and intended audience of a piece of grade-appropriate writing.
- rarely identify precise language and consistent voice to improve meaning, clarity, and style.

- rarely revise by refining word choice, adding relevant details, deleting irrelevant or redundant details, and/or rearranging text to enhance meaning, clarity, organization, and style.
- rarely identify a variety of sentences to enhance fluency, style, and voice.
- demonstrate an underdeveloped command of grade-level sentence structure, spelling, grammar, capitalization, and punctuation.

Grade 9 Language Usage ISAT Proficiency Level Descriptors

Advanced

In the area of language usage, ninth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level. These students

- consistently identify a clear focus, specific and varied support, and a conclusion that supports the thesis.
- consistently identify logical organizational strategies and a variety of transition words/phrases to enhance unity and coherence.
- consistently identify the purpose and intended audience of a piece of grade-appropriate writing.
- consistently identify precise language to enhance and maintain voice, clarity, and style.
- consistently revise by refining word choice, adding relevant details, deleting irrelevant or redundant details, and/or rearranging text to enhance unity, coherence, and style.
- consistently identify concise and varied sentence structure to enhance fluency, style, and voice.
- demonstrate regular command of spelling, grammar, capitalization, and punctuation.

Proficient

In the area of language usage, ninth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify a clear focus, specific and varied support, and a conclusion that supports the thesis.
- identify logical organizational strategies and a variety of transition words/phrases to enhance unity and coherence.
- identify the purpose and intended audience of a piece of grade-appropriate writing.
- identify precise language to enhance and maintain voice, clarity, and style.
- revise by refining word choice, adding relevant details, deleting irrelevant or redundant details, and/or rearranging text to enhance unity, coherence, and style.
- identify concise and varied sentence structure to enhance fluency, style, and voice.
- demonstrate command of spelling, grammar, capitalization, and punctuation.

Basic

In the area of language usage, ninth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- rarely identify a clear focus, specific and varied support, and a conclusion that supports the thesis.
- rarely identify logical organizational strategies and a variety of transition words/phrases to enhance unity and coherence.
- rarely identify the purpose and intended audience of a piece of grade-appropriate writing.
- rarely identify precise language to enhance and maintain voice, clarity, and style.

- rarely revise by refining word choice, adding relevant details, deleting irrelevant or redundant details, and/or rearranging text to enhance unity, coherence, and style.
- rarely identify concise and varied sentence structure to enhance fluency, style, and voice.
- demonstrate an underdeveloped command of spelling, grammar, capitalization, and punctuation.

Grade 10 Language Usage ISAT Proficiency Level Descriptors

Advanced

In the area of language usage, tenth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- consistently identify a clear focus, specific and varied support, and a unifying conclusion.
- consistently identify logical organizational strategies and purposeful transition words/phrases to enhance unity and coherence.
- consistently identify the purpose and intended audience of a piece of writing.
- consistently identify precise language and maintain effective voice, clarity, and style.
- consistently revise by refining word choice, adding supporting details, deleting irrelevant or redundant details, and/or rearranging text to maintain unity, coherence, and style.
- consistently identify concise and varied sentence structures to maintain fluency, style, and voice.
- maintain command of spelling, grammar, capitalization, and punctuation.

Proficient

In the area of language usage, tenth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify a clear focus, specific and varied support, and a unifying conclusion.
- identify logical organizational strategies and purposeful transition words/phrases to enhance unity and coherence.
- identify the purpose and intended audience of a piece of writing.
- identify precise language and maintain effective voice, clarity, and style.
- revise by refining word choice, adding supporting details, deleting irrelevant or redundant details, and/or rearranging text to maintain unity, coherence, and style.
- identify concise and varied sentence structures to maintain fluency, style, and voice.
- demonstrate command of spelling, grammar, capitalization, and punctuation.

Basic

In the area of language usage, tenth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- rarely identify a clear focus, specific and varied support, and a unifying conclusion.
- rarely identify logical organizational strategies and purposeful transition words/phrases to enhance unity and coherence.
- rarely identify the purpose and intended audience of a piece of writing.
- rarely identify precise language and maintain effective voice, clarity, and style.
- rarely revise by refining word choice, adding supporting details, deleting irrelevant or redundant details, and/or rearranging text to maintain unity, coherence, and style.
- rarely identify concise and varied sentence structures to maintain fluency, style, and voice.
- demonstrate an underdeveloped command of spelling, grammar, capitalization, and punctuation.

Grade 3 Mathematics ISAT Proficiency Level Descriptors

Advanced

In the area of mathematics, third grade students typically performing at the Advanced level consistently demonstrate a **thorough understanding** of grade-level skills. These students

- demonstrate an excellent understanding of place value, the numeration system, and money.
- perform challenging calculations.
- demonstrate a thorough understanding of measurement concepts and estimation.
- demonstrate an advanced understanding of length and time.
- translate complex number sentences and expressions to show mathematical relationships.
- solve challenging grade-level equations.
- identify and extend advanced patterns involving addition.
- identify multiple lines of symmetry.
- demonstrate an excellent understanding of locating points on a number line.
- read and interpret challenging data displays.

Proficient

In the area of mathematics, third grade students typically performing at the Proficient level demonstrate a **general understanding** of grade-level skills. These students

- demonstrate an understanding of place value, the numeration system, and money.
- perform grade-level calculations.
- demonstrate an understanding of measurement concepts and estimation.
- identify relationships of length and time.
- translate number sentences and expressions to show mathematical relationships.
- solve grade-level equations.
- identify and extend patterns involving addition.
- identify lines of symmetry.
- locate points on a number line.
- read and interpret tables, bar graphs, and charts.

Basic

In the area of mathematics, third grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- demonstrate a limited understanding of place value, the numeration system, and money.
- perform some basic calculations.
- demonstrate a narrow understanding of measurement concepts and estimation.
- demonstrate limited understanding of length and time.
- translate simple number sentences and expressions.
- solve basic equations.
- extend simple patterns involving addition.
- demonstrate a limited understanding of lines of symmetry.
- demonstrate a limited understanding of number lines.
- recognize tables, bar graphs, and charts.

Grade 4 Mathematics ISAT Proficiency Level Descriptors

Advanced

In the area of mathematics, fourth grade students typically performing at the Advanced level consistently demonstrate a **thorough understanding** of grade-level skills. These students

- demonstrate excellent understanding of place value, the numeration system, and money.
- perform challenging calculations.
- demonstrate a thorough understanding of measurement concepts and estimation.
- demonstrate advanced understanding of conversions and equivalencies of time and measurement in the U.S. Customary System.
- translate complex number sentences and expressions to show mathematical relationships.
- solve challenging grade-level equations involving factors.
- identify and extend challenging patterns.
- apply advanced geometric concepts related to shape and spatial relationships.
- demonstrate an excellent understanding of locating points in the first quadrant of a coordinate grid.
- demonstrate excellent understanding of reading and interpreting tables, charts, bar graphs, and line graphs.
- demonstrate in-depth understanding of simple probability.

Proficient

In the area of mathematics, fourth grade students typically performing at the Proficient level demonstrate a **general understanding** of grade-level skills. These students

- demonstrate an understanding of place value, the numeration system, and money.
- perform grade-level calculations.
- demonstrate an understanding of measurement concepts and estimation.
- demonstrate an understanding of common conversions and equivalencies of time and measurement in the U.S. Customary System.
- translate number sentences and expressions to show mathematical relationships.
- solve grade-level equations involving factors.
- identify and extend patterns.
- apply geometric concepts related to shape and spatial relationships.
- locate points in the first quadrant of a coordinate grid.
- read and interpret tables, charts, bar graphs, and line graphs.
- determine mode using simple sets of data.
- demonstrate fundamental understanding of simple probability.

Basic

In the area of mathematics, fourth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- demonstrate limited understanding of place value, the numeration system, and money.
- perform some basic calculations.
- demonstrate a narrow understanding of measurement concepts and estimation.
- demonstrate basic understanding of common conversions and equivalencies of time and measurement in the U.S. Customary System.
- translate simple number sentences and expressions.
- solve basic equations involving factors.
- extend simple patterns.
- apply some geometric concepts.
- demonstrate limited understanding of locating points in the first quadrant of a coordinate grid.
- read basic displays of data.
- demonstrate limited understanding of mode.
- recognize basic concepts of simple probability.

Grade 5 Mathematics ISAT Proficiency Level Descriptors

Advanced

In the area of mathematics, fifth grade students typically performing at the Advanced level consistently demonstrate a **thorough understanding** of grade-level skills. These students

- demonstrate an excellent understanding of place value and the numeration system.
- perform challenging calculations.
- demonstrate a thorough understanding of measurement concepts, estimation, and tools including length, perimeter, area, time, temperature, mass, and capacity.
- perform advanced one-step conversions of length and time within each system.
- translate complex numerical and algebraic expressions and equations.
- solve challenging grade-level equations involving factors.
- extend and describe challenging patterns.
- analyze and apply grade-level geometric concepts related to size, shape, and spatial relationships.
- demonstrate an excellent understanding of plotting points in the first quadrant on a coordinate grid.
- analyze and interpret tables, charts, bar graphs, and line graphs.
- apply median, mode, and range using simple sets of data.
- demonstrate in-depth understanding of simple probability.

Proficient

In the area of mathematics, fifth grade students typically performing at the Proficient level demonstrate a **general understanding** of grade-level skills. These students

- demonstrate an understanding of place value and the numeration system.
- perform grade-level calculations.
- demonstrate an understanding of measurement concepts, estimation, and tools including length, perimeter, area, time, temperature, mass, and capacity.
- perform one-step conversions of length and time within each system.
- translate numerical and algebraic expressions and equations.
- solve grade-level equations involving factors.
- extend and describe patterns.
- apply geometric concepts related to size, shape, and spatial relationships.
- use ordered pairs to identify and plot points in the first quadrant on a coordinate grid.
- read and interpret tables, charts, bar graphs, and line graphs.
- determine median, mode, and range using simple sets of data.
- demonstrate and predict results of simple probability.

Basic

In the area of mathematics, fifth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- demonstrate limited understanding of place value and the numeration system.
- perform some basic calculations.
- demonstrate limited understanding of measurement concepts, estimation, and tools including length, perimeter, area, time, temperature, mass, and capacity.
- perform basic one-step conversions of common units of length and time.
- translate simple numerical and algebraic expressions and equations.
- solve basic equations involving factors.
- extend simple patterns.
- apply some geometric concepts.
- demonstrate limited understanding of identifying and plotting points in the first quadrant on a coordinate grid.
- read basic displays of data.
- demonstrate limited understanding of median, mode, and range.
- recognize basic concepts of simple probability.

Grade 6 Mathematics ISAT Proficiency Level Descriptors

Advanced

In the area of mathematics, sixth grade students typically performing at the Advanced level consistently demonstrate a **thorough understanding** of grade-level skills. These students

- demonstrate thorough understanding of place value, the numeration system, and estimation.
- perform challenging calculations.
- demonstrate firm understanding of measurement concepts and tools including length, perimeter, area, time, mass, and capacity.
- apply ratios and scales in a variety of contexts.
- translate and evaluate complex numerical and algebraic expressions and equations.
- extend and describe challenging patterns presented in multiple formats.
- apply advanced geometric concepts related to size, shape, and spatial relationships.
- interpret, translate between, and recognize uncommon relationships of different types of data displays.
- demonstrate understanding of more involved probability.

Proficient

In the area of mathematics, sixth grade students typically performing at the Proficient level demonstrate a **general understanding** of grade-level skills. These students

- demonstrate understanding of place value, the numeration system, and estimation.
- perform grade-level calculations.
- demonstrate understanding of measurement concepts and tools including length, perimeter, area, time, mass, and capacity.
- perform one-step conversions between units of measure.
- use simple ratios and scales.
- translate and evaluate numerical and algebraic expressions and equations.
- solve grade-level one-step equations.
- extend and describe patterns.
- apply geometric concepts related to size, shape, and spatial relationships.
- demonstrate an understanding of plotting points on a coordinate grid within the first quadrant.
- read, interpret, and make predictions given information from tables, charts, and graphs.
- organize information into data displays.
- determine mean, median, mode, and range.
- demonstrate understanding of simple probability.

Basic

In the area of mathematics, sixth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- demonstrate limited understanding of place value, the numeration system, and estimation.
- perform simple calculations.
- demonstrate limited understanding of measurement concepts and tools including length, perimeter, area, time, mass, and capacity.
- perform one-step conversions between common units of measure.
- show limited understanding of simple ratios and scales.
- translate and evaluate simple numerical and algebraic expressions and equations.
- solve basic one-step equations.
- extend simple patterns.
- apply some geometric concepts.
- have limited understanding of plotting points on a coordinate grid within the first quadrant.
- read basic displays of data.
- demonstrate limited understanding of mean, median, mode, or range.
- recognize basic concepts of probability.

Grade 7 Mathematics ISAT Proficiency Level Descriptors

Advanced

In the area of mathematics, seventh grade students typically performing at the Advanced level consistently demonstrate a **thorough understanding** of grade-level skills. These students

- demonstrate thorough understanding of place value, the numeration system, and estimation.
- perform challenging calculations.
- demonstrate firm understanding of measurement related to two-dimensional figures.
- apply multiple conversions between units of measure within each system.
- translate and evaluate complex numerical and algebraic expressions and equations.
- extend and describe challenging patterns presented in multiple formats.
- apply advanced geometric concepts related to size, shape, and spatial relationships.
- interpret, translate between, and recognize uncommon relationships of different types of data displays.
- demonstrate understanding of probability in complex situations.

Proficient

In the area of mathematics, seventh grade students typically performing at the Proficient level demonstrate a **general understanding** of grade-level skills. These students

- demonstrate an understanding of place value, the numeration system, and estimation.
- perform grade-level calculations.
- understand measurements related to two-dimensional figures.
- convert units of measurement within each system.
- reduce rates to unit rates.
- identify properly constructed dimensional analysis conversions.
- translate and evaluate numerical and algebraic expressions and equations.
- solve one-step equations.
- extend and describe patterns.
- represent data in a table, as a graph, and as a mathematical relationship.
- apply geometric concepts related to size, shape, and spatial relationships.
- demonstrate an understanding of plotting points on a coordinate grid.
- read, interpret, and make predictions given information from tables, charts, and graphs.
- organize information into data displays.
- determine measures of central tendency.
- demonstrate understanding of simple probability.

Basic

In the area of mathematics, seventh grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- demonstrate limited understanding of place value, the numeration system, and estimation.
- perform simple calculations.
- demonstrate limited understanding of measurements related to two-dimensional figures.
- convert simple units of measurement.
- show limited understanding of unit rates and dimensional analysis.
- translate and evaluate simple numerical and algebraic expressions and equations.
- solve simple one-step equations.
- extend simple patterns.
- apply simple geometric concepts.
- have limited understanding of plotting points on a coordinate grid beyond the first quadrant.
- read basic displays of data.
- demonstrate limited understanding of central tendency.
- recognize basic concepts of simple probability.

Grade 8 Mathematics ISAT Proficiency Level Descriptors

Advanced

In the area of mathematics, eighth grade students typically performing at the Advanced level consistently demonstrate a **thorough understanding** of grade-level skills. These students

- demonstrate thorough understanding of place value, the numeration system, and estimation.
- perform challenging calculations.
- demonstrate firm understanding of measurement related to two- and three-dimensional figures.
- apply multiple conversions between units of measure in problem-solving situations.
- use rates, proportions, ratios, and map scales in challenging problem-solving situations.
- translate, evaluate and simplify complex numerical and algebraic expressions and equations.
- solve challenging two-step equations and inequalities.
- extend, describe, and model challenging patterns presented in multiple formats.
- apply advanced geometric concepts related to size, shape, and spatial relationships.
- interpret, translate between, and recognize uncommon relationships of different types of data displays.
- demonstrate understanding of theoretical and experimental probability in complex situations.

Proficient

In the area of mathematics, eighth grade students typically performing at the Proficient level demonstrate a **general understanding** of grade-level skills. These students

- demonstrate general understanding of place value, the numeration system, and estimation.
- perform grade-level calculations.
- understand measurements related to two- and three- dimensional figures.
- use conversions between units of measurement in problem situations.
- use rates, proportions, ratios, and map scales in problem solving situations.
- identify properly constructed dimensional analysis conversions.
- translate, evaluate, and simplify numerical and algebraic expressions and equations.
- solve one- and two- step equations and inequalities.
- extend, describe, and model patterns.
- represent data in a table, as a graph, and as a mathematical relationship.
- apply geometric concepts related to size, shape, and spatial relationships.
- demonstrate an understanding of plotting points on a coordinate grid.
- read, interpret, and make predictions given information from tables, charts, and graphs.
- organize information into data displays.
- determine measures of central tendency.
- demonstrate understanding of theoretical and experimental probability.

Basic

In the area of mathematics, eighth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- demonstrate limited understanding of place value, the numeration system, and estimation.
- perform simple calculations.
- demonstrate limited understanding of measurement related to two- and three-dimensional figures.
- convert simple units of measurement.
- show limited understanding of ratios, scales, proportions, and dimensional analysis.
- translate, evaluate, and simplify basic numerical and algebraic expressions and equations.
- solve simple one-step equations and inequalities.
- extend simple patterns.
- apply simple geometric concepts.
- have limited understanding of plotting points on a coordinate grid beyond the first quadrant.
- read basic displays of data.
- demonstrate limited understanding of measures of central tendency.
- recognize basic concepts of simple probability.

Grade 9 Mathematics ISAT Proficiency Level Descriptors

Advanced

In the area of mathematics, ninth grade students typically performing at the Advanced level consistently demonstrate a **thorough understanding** of grade-level skills. These students

- demonstrate thorough understanding of algebraic properties and the numeration system.
- perform challenging calculations.
- demonstrate firm understanding of measurement related to two- and three-dimensional figures.
- apply multiple conversions between units of measure in problem-solving situations.
- use rates, proportions, ratios, and map scales in challenging problem-solving situations.
- represent, solve, and model challenging problems involving multi-step equations and inequalities, systems of equations, graphs, and sequences.
- apply advanced geometric concepts.
- apply the Pythagorean theorem in a challenging real-world situation.
- represent and interpret linear relationships in complex problems.
- read, interpret, and make predictions given information from complex tables, charts, and graphs.
- organize information into data displays in challenging situations.
- demonstrate understanding of theoretical and experimental probability in complex situations.
- interpret and make predictions based on statistical measures presented in challenging situations.

Proficient

In the area of mathematics, ninth grade students typically performing at the Proficient level demonstrate a **general understanding** of grade-level skills. These students

- demonstrate an understanding of algebraic properties and the numeration system.
- perform grade-level calculations.
- understand measurements related to two- and three- dimensional figures.
- apply dimensional analysis.
- use rates, proportions, ratios, and map scales in problem solving situations.
- represent and simplify numerical and algebraic equations and inequalities.
- solve and model problems involving multi-step equations and inequalities, systems of equations, graphs, and sequences.
- differentiate between linear and non-linear equations and graphs.
- understand attributes of the Cartesian Coordinate system.
- represent and interpret linear relationships.
- recognize and apply geometric concepts.
- use the Pythagorean theorem to find missing sides of a right triangle.
- read, interpret, and make predictions given information from tables, charts, and graphs.
- organize information into data displays.
- demonstrate understanding of theoretical and experimental probability.
- interpret and make predictions based on statistical measures.

Basic

In the area of mathematics, ninth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- demonstrate limited understanding of algebraic properties and the numeration system.
- perform simple calculations.
- demonstrate limited understanding of measurement related to two- and three-dimensional figures.
- convert simple units of measurement.
- show limited understanding of ratios, map scales, proportions, and dimensional analysis.
- represent and simplify basic numerical and algebraic equations and inequalities.
- solve simple problems involving multi-step equations and inequalities, graphs, and sequences.
- demonstrate limited understanding of the difference between linear and non-linear graphs.
- recognize and apply simple geometric concepts.
- show limited understanding of the Cartesian Coordinate system and linear relationships.
- read and interpret information from basic tables, charts, and graphs.
- organize information into simple data displays.
- demonstrate limited understanding of theoretical and experimental probability in common situations.

Grade 10 Mathematics ISAT Proficiency Level Descriptors

Advanced

In the area of mathematics, tenth grade students typically performing at the Advanced level consistently demonstrate a **thorough understanding** of grade-level skills. These students

- demonstrate thorough understanding of algebraic properties and the numeration system.
- perform challenging calculations.
- demonstrate firm understanding of measurement related to two- and three-dimensional figures.
- apply multiple conversions between units of measure in problem-solving situations.
- use rates, proportions, ratios, scale factors, and map scales in challenging problem-solving situations.
- represent, solve, and model challenging problems involving multi-step equations and inequalities, systems of equations, graphs, and sequences.
- apply advanced geometric concepts.
- apply the Pythagorean theorem in a challenging real-world situation.
- represent and interpret linear relationships in complex problems.
- use logic to make and evaluate more involved mathematical arguments.
- read, interpret, and make predictions given information from complex tables, charts, and graphs.
- organize information into data displays in challenging situations.
- demonstrate understanding of theoretical and experimental probability in complex situations.
- interpret and make predictions based on statistical measures presented in challenging situations.

Proficient

In the area of mathematics, tenth grade students typically performing at the Proficient level demonstrate a **general understanding** of grade-level skills. These students

- demonstrate an understanding of algebraic properties and the numeration system.
- perform grade-level calculations.
- understand measurements related to two- and three- dimensional figures.
- apply dimensional analysis.
- use rates, proportions, ratios, scale factors, and map scales in problem solving situations.
- represent and simplify numerical and algebraic equations and inequalities.
- solve and model problems involving multi-step equations and inequalities, systems of equations, graphs, and sequences.
- differentiate between linear and non-linear equations and graphs.
- understand attributes of the Cartesian Coordinate system.
- represent and interpret linear relationships.
- recognize and apply geometric concepts.
- use the Pythagorean theorem to find missing sides of a right triangle.
- use logic to make and evaluate mathematical arguments.
- read, interpret, and make predictions given information from tables, charts, and graphs.
- organize information into data displays.
- demonstrate understanding of theoretical and experimental probability.
- interpret and make predictions based on statistical measures.

Basic

In the area of mathematics, tenth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- demonstrate limited understanding of algebraic properties and the numeration system.
- perform simple calculations.
- demonstrate limited understanding of measurement related to two- and three-dimensional figures.
- convert simple units of measurement.
- show limited understanding of rates, proportions, ratios, scale factors, map scales, and dimensional analysis.
- represent and simplify basic numerical and algebraic equations and inequalities.
- solve simple problems involving multi-step equations and inequalities, graphs, and sequences.
- demonstrate limited understanding of the difference between linear and non-linear graphs.
- recognize and apply simple geometric concepts.
- demonstrate limited understanding of the Pythagorean theorem.
- show limited understanding of the Cartesian Coordinate system and linear relationships.
- read and interpret information from basic tables, charts, and graphs.
- organize information into simple data displays.
- demonstrate limited understanding of theoretical and experimental probability in common situations.

Grade 3 Reading ISAT Proficiency Level Descriptors

Advanced

In the area of reading, third grade students typically performing at the Advanced level demonstrate a **thorough understanding** of grade-level skills. These students

- consistently use graphics, graphs, tables, diagrams, parentheses, italics, and bold print to understand text.
- consistently use knowledge of base words, common prefixes, suffixes, synonyms, and antonyms to determine meaning of unknown words.
- consistently identify cause-effect, compare-contrast, and descriptions that support comprehension.
- consistently organize and sequence written directions.
- consistently draw conclusions based on text.
- consistently identify different genres of literature.
- consistently identify elements of setting and plot.

Proficient

In the area of reading, third grade students typically performing at the Proficient level demonstrate a **satisfactory understanding** of grade-level skills. These students

- locate information using alphabetical order past the second letter.
- use graphics, graphs, tables, diagrams, parentheses, italics, and bold print to understand text.
- decode words with 2–4 syllables using syllable types and syllable patterns.
- use knowledge of base words, common prefixes, and common suffixes to determine meaning of unknown words in isolation and in context.
- identify synonyms, antonyms, and simple analogies to determine the meaning of words in context.
- draw simple conclusions based on information from text.
- identify cause-effect, compare-contrast, and descriptions that support comprehension.
- identify main idea, facts, and/or sequencing of important information from expository text.
- follow simple multi-step written directions.
- identify different genres of literature.
- describe characters within a literary selection.
- identify all aspects of the setting.
- identify elements of plot in literary text.
- identify the lesson or theme of a fable or folktale.

Basic

In the area of reading, third grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- inconsistently use context clues, base words, prefixes, and suffixes to determine the meaning of unknown words.
- identify limited details from literal text.
- identify limited aspects of setting.
- identify some characters in text.

Grade 4 Reading ISAT Proficiency Level Descriptors

Advanced

In the area of reading, fourth grade students typically performing at the Advanced level demonstrate a **thorough understanding** of grade-level skills. These students

- consistently identify and use graphic features that support text meaning.
- consistently identify common root words, prefixes, and suffixes, including those derived from Greek and Latin, to determine the meaning of unknown words.
- consistently identify author's main purpose for writing various texts.
- consistently identify cause and effect relationships and draw conclusions based on text.
- consistently distinguish between facts and opinions in expository text to support comprehension.
- consistently identify defining characteristics of literary genres, including poetry.
- consistently identify the conflict and resolution of a story plot.
- consistently describe characters within a literary selection.
- consistently identify the lesson or theme of a literary selection.

Proficient

In the area of reading, fourth grade students typically performing at the Proficient level demonstrate a **satisfactory understanding** of grade-level skills. These students

- identify and use graphic features that support text meaning.
- identify common root words, prefixes, and suffixes, including those derived from Greek and Latin, to decode and determine meaning of unknown words.
- use context, synonyms, antonyms, and simple analogies to develop an understanding of new words.
- identify author's main purpose for writing various texts.
- identify cause and effect relationships in text by responding to why, how, and what if questions.
- draw conclusions based on information from text.
- distinguish between facts and opinions in expository text to support comprehension.
- identify main ideas and signal words to summarize information from expository text.
- follow multi-step written directions.
- identify defining characteristics of literary genres, including poetry.
- describe characters within a literary selection.
- describe the setting and tell how it supports the story.
- explain the main problem, conflict, and resolution of a story plot.
- identify the narrator of a story.
- identify the lesson or theme of a literary selection.
- identify common similes.

Basic

In the area of reading, fourth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- identify some graphic features in text.
- inconsistently identify common prefixes and suffixes.
- inconsistently distinguish between fact and opinion.
- follow limited multi-step written directions.
- identify some characteristics of literary genres.
- describe some characters and some aspects of setting.
- inconsistently identify the main problem in some literary text.
- inconsistently identify the narrator of a story.

Grade 5 Reading ISAT Proficiency Level Descriptors

Advanced

In the area of reading, fifth grade students typically performing at the Advanced level demonstrate a **thorough understanding** of grade-level skills. These students

- consistently use the features of texts to find information and support understanding.
- consistently apply common root words, prefixes, and suffixes, including those derived from Greek and Latin, to determine meaning of complex words.
- consistently identify author's purpose.
- consistently apply cause and effect relationships to gain meaning from text, draw valid conclusions based on information from text, and cite evidence from text to support.
- consistently apply central ideas and signal words, and interpret details to summarize information from expository texts.
- consistently analyze how a character's traits influence that character's actions.
- consistently analyze the main problem, conflict, and resolution of a story plot.
- consistently identify the lesson or theme of a literary selection.
- consistently analyze metaphors and similes to increase comprehension.

Proficient

In the area of reading, fifth grade students typically performing at the Proficient level demonstrate a **satisfactory understanding** of grade-level skills. These students

- use the features of text to find information and support understanding.
- apply common root words, prefixes, and suffixes, including those derived from Greek and Latin, to decode and determine meaning of complex words.
- use context to identify the meaning of unfamiliar words and words with multiple meanings.
- identify author's purpose for writing various texts.
- apply cause and effect relationships to gain meaning from text.
- draw valid conclusions based on information from text and cite evidence to support the conclusion.
- interpret details from a variety of expository texts to support comprehension.
- apply central ideas and signal words to summarize information from expository text.
- follow multi-step written directions.
- identify various genres of fiction and kinds of poetry based on their characteristics.
- analyze how a character's traits influence that character's actions.
- describe the setting and tell how it supports the story.
- analyze the main problem or conflict of a plot and explain how it was resolved.
- identify the speaker of a story and recognize the difference between first-person and third-person.
- identify the lesson or theme of literary selections.
- analyze metaphors and similes to increase comprehension.

Basic

In the area of reading, fifth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- use some features of texts to find information and support understanding.
- use context, prefixes and suffixes, and root words to determine meaning of some unfamiliar words.
- draw conclusions based on information from some text.
- inconsistently identify central ideas in text.
- identify limited characteristics of genres.
- describe the setting of a story.
- identify the main problem or conflict in a story and its resolution.
- inconsistently identify the speaker of a story.

Grade 6 Reading ISAT Proficiency Level Descriptors

Advanced

In the area of reading, sixth grade students typically performing at the Advanced level demonstrate a **thorough understanding** of grade-level skills. These students

- consistently use multiple graphic sources of information to address research questions.
- consistently infer word meaning from knowledge of root words derived from Greek and Latin.
- consistently determine the author's purpose, stated or implied, in increasingly complex texts.
- consistently apply cause and effect relationships to gain meaning from text.
- consistently make inferences, draw conclusions, and form opinions based on information from text, and cite evidence to support.
- consistently identify and summarize the facts and details that support the author's argument.
- consistently analyze the influence of the setting on the problem/conflict and resolution of the story.
- consistently identify point of view, themes, and literary devices to increase comprehension.

Proficient

In the area of reading, sixth grade students typically performing at the Proficient level demonstrate a **satisfactory understanding** of grade-level skills. These students

- identify graphic sources of information to address research questions.
- apply common root words, prefixes, and suffixes, including those derived from Greek and Latin, to decode complex words.
- infer word meaning from knowledge of root words derived from Greek and Latin.
- apply context to identify the meaning of unfamiliar words and words with multiple meanings.
- determine the author's purpose, stated or implied, for writing various texts.
- apply cause and effect relationships to gain meaning from text.
- make inferences, draw conclusions, and form opinions based on information from the text, and cite evidence to support.
- identify and summarize the facts and details that support the author's argument.
- follow multi-step written directions.
- describe the major characteristics of fictional genres and kinds of poetry.
- distinguish between major and minor characters.
- analyze the influence of the setting on the problem/conflict and resolution of the story.
- analyze the conflict of a plot and explain its resolution.
- identify point of view, themes, and literary devices to increase comprehension.

Basic

In the area of reading, sixth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- identify some graphic sources to support limited understanding.
- apply some common root words, prefixes, and suffixes to decode words.
- use context inconsistently to identify the meaning of unfamiliar words and words with multiple meanings.
- identify author's stated purpose.
- identify some cause and effect relationships.
- make inferences, draw conclusions, and form opinions with partial support from the text.
- inconsistently identify the facts and details that support the author's argument.
- describe some characteristics of fictional genres and kinds of poetry.

Grade 7 Reading ISAT Proficiency Level Descriptors

Advanced

In the area of reading, seventh grade students typically performing at the Advanced level demonstrate a **thorough understanding** of grade-level skills. These students

- consistently apply knowledge of root words, prefixes, and suffixes to determine the meaning of complex words in context.
- consistently explain relationships among words.
- consistently distinguish cause and effect relationships, make inferences, draw conclusions, and form opinions based on information from text, and cite evidence to support.
- consistently summarize the main idea and critical details of expository text.
- consistently analyze characterization as shown through a character's thoughts, words, speech patterns, and actions; the narrator's description; and the thoughts, words, and actions of other characters.
- consistently explain the influence of the setting on the mood, characters, and plot of the story.
- consistently identify points of view and literary devices to support comprehension.
- consistently analyze the themes of various genres.

Proficient

In the area of reading, seventh grade students typically performing at the Proficient level demonstrate a **satisfactory understanding** of grade-level skills. These students

- interpret graphic features of text to clarify and extend meaning.
- apply root words, prefixes, and suffixes, including those derived from Greek and Latin, to decode complex words.
- apply origins of root words, prefixes, and suffixes to determine the meaning of unknown words.
- explain relationships among words, including connotation/denotation, antonyms, synonyms, and words with multiple meanings.
- distinguish cause and effect relationships in text to gain meaning.
- make inferences, draw conclusions, and form opinions based on information from text, and cite evidence to support.
- summarize the main idea and critical details of expository text.
- follow multi-step written directions.
- analyze characterization as shown through a character's thoughts, words, speech patterns, and actions; the narrator's description; and the thoughts, words, and actions of other characters.
- explain the influence of setting on mood, characters, and plot of the story.
- analyze plot development, including types of conflict.
- identify points of view and literary devices to increase comprehension.
- analyze the themes of various genres.

Basic

In the area of reading, seventh grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- inconsistently use graphic features to support limited understanding.
- apply root words, prefixes, and suffixes to decode and determine meaning of some unknown words.
- explain some relationships among words.
- distinguish cause and effect relationships in some text.
- make inferences, draw conclusions, and form opinions with limited support from the text.
- summarize the main idea and details of some expository text.
- organize and sequence simple multi-step written directions.
- identify characterization through thoughts, words, actions, and description.
- identify some types of conflict in literature.

Grade 8 Reading ISAT Proficiency Level Descriptors

Advanced

In the area of reading, eighth grade students typically performing at the Advanced level demonstrate a **thorough understanding** of grade-level skills. These students

- consistently apply knowledge of root words, prefixes, and suffixes to determine the meaning of complex words in context.
- consistently analyze relationships among words.
- consistently apply central ideas and critical details to summarize information from expository text.
- consistently interpret aspects that influence character development.
- consistently analyze the importance of the setting to the mood and meaning of the story.
- consistently evaluate the structural elements of the plot and how conflicts are addressed and resolved.
- consistently analyze themes across various genres.

Proficient

In the area of reading, eighth grade students typically performing at the Proficient level demonstrate a **satisfactory understanding** of grade-level skills. These students

- interpret graphic features of text to clarify and extend meaning.
- use structural analysis and apply root words, prefixes, and suffixes, including those derived from Greek and Latin, to decode complex words.
- apply origins of root words, prefixes, and suffixes to determine the meaning of unknown words.
- explain relationships among words, including connotation/denotation, antonyms, synonyms, and words with multiple meanings.
- determine the relationships among facts, ideas, and events used in paired texts to support a central purpose.
- distinguish cause and effect relationships in text to gain meaning.
- make inferences, draw conclusions, and form opinions based on information gathered from text, and cite evidence to support.
- apply central ideas, both literal and inferential, and critical details to summarize information from expository text.
- identify the main purpose and anticipate outcomes of procedures specified in informational text.
- interpret how situations, actions, and other characters influence a character's personality and development.
- analyze the importance of the setting to the mood and meaning of the story.
- evaluate the structural elements of the plot and how conflicts are addressed and resolved.
- explain the author's point of view and interpret how it influences the story.
- analyze the themes across various genres.
- identify literary devices to increase comprehension.

Basic

In the area of reading, eighth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- inconsistently use graphic features of text to clarify and extend meaning.
- apply root words, prefixes, and suffixes to decode and determine meaning of some unknown words.
- explain some relationships among words.
- determine some relationships in paired texts to support a central purpose.
- distinguish some cause and effect relationships in text to gain meaning.
- make inferences, draw conclusions, form opinions, and cite some evidence from the text to support.
- apply central literal ideas and limited details to identify summarized text.
- organize and anticipate some outcomes of procedures specified in informational text.
- identify outside influences of the character's personality, the setting, and elements of the plot.
- inconsistently identify first-person, third-person limited, and third-person omniscient point of view.

Grade 9 Reading ISAT Proficiency Level Descriptors

Advanced

In the area of reading, ninth grade students typically performing at the Advanced level demonstrate a **thorough understanding** of grade-level skills. These students

- consistently use context analysis and knowledge of Greek and Latin roots, prefixes, and suffixes to analyze the origin and meaning of unfamiliar words.
- consistently synthesize the content from several sources on a single issue.
- consistently identify the thesis, evidence, and argument in informational texts.
- consistently define the purpose and audience of a variety of communication formats.
- consistently evaluate the author's argument or defense of a claim by examining the relevance and comprehensiveness of evidence.
- consistently evaluate the importance of the setting to the mood and meaning of the text.
- consistently explain the author's point of view and interpret how it influences the text.

Proficient

In the area of reading, ninth grade students typically performing at the Proficient level demonstrate a **satisfactory understanding** of grade-level skills. These students

- analyze the structure and format of various informational documents.
- use knowledge of Greek and Latin roots, prefixes, and suffixes to analyze the origin and meaning of unknown words.
- use context analysis to determine the meanings of unfamiliar words.
- synthesize the content from several sources on a single issue; paraphrase ideas to demonstrate comprehension.
- identify the thesis, evidence, and argument in informational texts.
- evaluate an author's argument or defense of a claim by examining the relevance and comprehensiveness of evidence.
- define the purpose and audience of a variety of communication formats.
- determine characters' traits by what the characters say about themselves in narration, dialogue, and soliloquy.
- evaluate the importance of the setting to the mood and meaning of the text.
- explain the author's point of view and interpret how it influences the text.
- compare and contrast themes across works of prose, poetry, and drama.
- analyze significant literary devices, including irony and symbolism.

Basic

In the area of reading, ninth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- inconsistently identify the structure and format of various informational documents.
- may use limited context analysis, and knowledge of Greek and Latin roots, prefixes, and suffixes to determine the origin and meaning of unknown words.
- paraphrase ideas from a single source to demonstrate comprehension.
- may identify thesis, with limited evidence in informational texts.
- inconsistently identify purpose and/or audience of a variety of texts.
- identify some aspects of an author's argument.
- may determine characters' traits by what the characters say about themselves in narration, dialogue, and soliloquy.
- may compare and/or contrast simple themes across works of prose, poetry, and drama.
- may identify some literary devices.

Grade 10 Reading ISAT Proficiency Level Descriptors

Advanced

In the area of reading, tenth grade students typically performing at the Advanced level demonstrate a **thorough understanding** of grade-level skills. These students

- consistently analyze the structure and format of various informational documents.
- consistently use context analysis and apply knowledge of roots to draw inferences about unfamiliar words.
- consistently synthesize the content from several sources on a single issue; compare and contrast ideas to demonstrate comprehension.
- consistently critique the logic of informational texts by examining the sequence of information and procedures.
- consistently define the purpose and audience of a variety of communication formats.
- consistently evaluate the comprehensiveness and validity of evidence in an author's argument.
- consistently explain the author's point of view and interpret how it influences the text.

Proficient

In the area of reading, tenth grade students typically performing at the Proficient level demonstrate a **satisfactory understanding** of grade-level skills. These students

- analyze the structure and format of various informational documents.
- apply knowledge of roots and word parts to draw inferences about new words.
- use context analysis to determine the meanings of unfamiliar words.
- synthesize the content from several sources on a single issue; compare and contrast ideas to demonstrate comprehension.
- critique the logic of informational texts by examining the sequence of information and procedures.
- define the purpose and audience of a variety of communication formats.
- evaluate the comprehensiveness and validity of evidence in an author's argument.
- analyze characters' traits by what the characters say about themselves in narration, dialogue, and soliloquy.
- explain the author's point of view and interpret how it influences the text.
- compare works that express a universal theme and provide evidence to support the views expressed in each work.
- analyze ways in which authors use imagery, figures of speech, and the "sound" of language for effect.

Basic

In the area of reading, tenth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- inconsistently analyze the structure and format of various informational documents.
- use limited knowledge of roots and word parts to determine meaning of unknown words.
- may use context analysis to determine the meanings of unfamiliar words.
- may define purpose and audience of a variety of communication formats.
- may identify an author's argument.
- may identify characters' traits by what the characters say about themselves in narration, dialogue, and soliloquy.
- may explain the author's point of view with limited interpretation of how it influences text.
- may identify some types of figures of speech, imagery, and "sound" of language for effect.

Grade 5 Science ISAT Proficiency Level Descriptors

Advanced

In the area of Nature of Science, fifth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- understand different systems then analyze changes that occur in and among systems.
- understand how to use multiple observations, data, and models as evidence to make predictions, explanations, and inferences.
- select and understand how to use multiple tools to appropriately measure in customary and metric systems.
- classify objects or systems based on the relationship between the shape or form and its use or function.
- understand comprehensive skills needed for scientific inquiry.

In the area of Physical Science, fifth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- analyze the differences among elements, compounds, and mixtures.
- evaluate the physical differences among solids, liquids, and gases.
- understand how the difference in molecular motion relates to physical change.

In the area of Biology, fifth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- understand how plants convert energy from the Sun through photosynthesis.
- analyze the structural differences between plant and animal cells.
- demonstrate a thorough understanding that traits are passed from parents to offspring.

In the area of Earth Science, fifth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- analyze interactions among the solid earth, oceans, and atmosphere.
- demonstrate a thorough understanding of the rock cycle and the three classifications of rocks.

In the area of Personal and Social Perspectives and Technology, fifth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- examine complex issues for environmental studies.
- identify examples of science and technology in society.
- evaluate the differences between renewable and nonrenewable resources.

Proficient

In the area of Nature of Science, fifth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- compare and contrast different systems, then analyze simple changes that occur in and among systems.

- understand how to use observations, data, and/or models as evidence to make predictions, explanations, and/or inferences.
- select and understand how to use common tools to measure in customary and metric systems.
- understand how the shape or form of an object or system is related to its use or function.
- identify and apply simple skills used in scientific inquiry.

In the area of Physical Science, fifth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify the differences among elements, compounds, and mixtures.
- compare the physical differences among solids, liquids, and gases.
- understand the nature of physical change and how it relates to physical properties.

In the area of Biology, fifth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- communicate how plants convert energy from the Sun through photosynthesis.
- compare and contrast the structural differences between plant and animal cells.
- understand the concept that traits are passed from parents to offspring.

In the area of Earth Science, fifth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- understand the interactions among the solid earth, oceans, and atmosphere.
- recognize the rock cycle and identify the three classifications of rocks.

In the area of Personal and Social Perspectives and Technology, fifth grade students typically performing at the Proficient level demonstrate an **understanding** of grade level skills. These students

- identify issues for environmental studies.
- identify examples of science and technology that are a part of a student's life.
- identify the differences between renewable and nonrenewable resources.

Basic

In the area of Nature of Science, fifth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- identify components of systems.
- identify predictions, explanations, and inferences.
- understand how to use common tools to make measurements.
- recognize the shape or form of an object or system and identify its use or function.
- understand limited skills needed for scientific inquiry.

In the area of Physical Science, fifth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- identify elements, compounds, and mixtures.
- understand limited properties of solids, liquids, and gases.
- recognize a change in physical properties.

In the area of Biology, fifth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- recognize that plants get energy from the Sun.
- identify a difference between plant and animal cells.
- identify a trait that is passed from parents to offspring.

In the area of Earth Science, fifth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- identify simple interactions among the solid earth, oceans, and atmosphere.
- understand limited skills needed to classify rocks in the rock cycle.

In the area of Personal and Social Perspectives and Technology, fifth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- identify simple environmental issues.
- identify basic examples of science and technology.
- identify a renewable or a nonrenewable resource.

Grade 7 Science ISAT Proficiency Level Descriptors

Advanced

In the area of Nature of Science, seventh grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- explain that small systems are components of larger systems and analyze changes that occur within them.
- interpret observations, data, and models as evidence on which to base scientific explanations and inferences.
- apply concepts of science that have been stable over time.
- select appropriate tools to measure in metric units.
- identify, analyze, and evaluate the components of scientific inquiry.
- read and evaluate complex technical instructions.

In the area of Physical Science, seventh grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- evaluate differences in properties of matter as observed in elements, compounds, and mixtures.
- analyze the effects of different forces on the movement, speed, and direction of an object.

In the area of Biology, seventh grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- analyze how natural selection helps explain species change over time.
- understand the relationships between matter and energy in ecosystems.
- identify structures and complex functions of cells.
- analyze the levels of organization within organisms.

In the area of Earth Science, seventh grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- compare the interactions among the solid earth, oceans, atmosphere, and organisms.
- understand the water cycle and analyze its affect on weather patterns, cloud types, and climates.

In the area of Personal and Social Perspectives and Technology, seventh grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- understand how science and technology are interrelated.
- evaluate alternative sources of energy.

Proficient

In the area of Nature of Science, seventh grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- understand that small systems are components of larger systems and recognize changes that occur within them.
- identify observations, data, and models as evidence on which to base simple scientific explanations and inferences.
- identify concepts of science that have been stable over time.
- select appropriate tools to measure in metric units.
- understand how to identify, use, and evaluate the components of scientific inquiry.
- read and evaluate technical instructions.

Grade 7 Science ISAT Proficiency Level Descriptors

In the area of Physical Science, seventh grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- compare and contrast differences in properties of matter as observed in elements, compounds, and mixtures.
- identify the effects of different forces on the movement, speed, and direction of an object.

In the area of Biology, seventh grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- identify how natural selection helps explain species change over time.
- understand the relationships between matter and energy in ecosystems.
- identify structures and functions of cells.
- identify the levels of organization within organisms.
- understand how dominant and recessive traits are inherited.

In the area of Earth Science, seventh grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- understand the interactions among the solid earth, oceans, atmosphere, and organisms.
- understand the water cycle and its relationship to weather patterns, cloud types, and climates.

In the area of Personal and Social Perspectives and Technology, seventh grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- recognize how science and technology are interrelated.
- identify alternative sources of energy.

Basic

In the area of Nature of Science, seventh grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- recognize that small systems are components of larger systems.
- recognize that observations, data, and models are evidence on which to base simple scientific explanations and inferences.
- identify common concepts of science that have been stable over time.
- select tools to measure in metric units.
- identify some components of scientific inquiry.
- read and understand simple technical instructions.

In the area of Physical Science, seventh grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- identify differences in properties of matter as observed in elements, compounds, and mixtures.
- identify different forces that can affect the movement, speed, and direction of an object.

Grade 7 Science ISAT Proficiency Level Descriptors

In the area of Biology, seventh grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- provide a simple description of how natural selection helps explain species change over time.
- understand basic relationships between matter and energy in ecosystems.
- identify some structures and basic functions of cells.
- identify the levels of organization within organisms.
- recognize that inherited traits can be dominant or recessive.

In the area of Earth Science, seventh grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- recognize interactions among the solid earth, oceans, atmosphere, and organisms.
- recognize parts of the water cycle and simple relationships to weather patterns, cloud types, and climates.

In the area of Personal and Social Perspectives and Technology, seventh grade students typically performing at the Basic level demonstrate a **limited understanding** of grade level skills. These students

- recognize how science and technology are interrelated.
- recognize alternative sources of energy.

Grade 10 Science ISAT Proficiency Level Descriptors

Advanced

In the area of the Nature of Science, tenth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- identify the scientific meaning and recognize the concepts of order and organization to complex systems.
- evaluate multiple observations, data, and logic as evidence on which to base scientific explanations, then identify appropriate models.
- select appropriate tools/technology to measure, calculate, and analyze scientific information using metric units.
- analyze complex changes that can occur in and among systems.
- identify and analyze the components of scientific problem solving.
- analyze complex diagrams, charts, graphs, and technical writing.

In the area of Physical Science, tenth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- understand motion using Newton's laws of motion.
- recognize energy as potential and/or kinetic and as energy contained in a field.
- understand how energy can be transformed but cannot be created nor destroyed.
- compare the properties, functions, and processes of atomic particles and their relationships to electricity and magnetism.
- evaluate how chemical reactions may release or consume energy while the quantity of matter remains constant.

In the area of Biology, tenth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- understand how to apply the theory of evolution to help explain how and why multiple species change over time.
- understand the relationships between matter and energy in and among living systems.
- identify the role of cellular structures, functions, differentiation, and interrelatedness.
- analyze the role, function, and complexity of DNA.

In the area of Earth Science, tenth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- analyze current scientific theories and methods to help explain the formation of the solar system.
- understand how to explain complex and interdependent changes in Earth's system throughout geologic time.
- understand internal and external energy sources of Earth.

In the area of Personal and Social Perspectives and Technology, tenth grade students typically performing at the Advanced level demonstrate an **in-depth understanding** of grade-level skills. These students

- evaluate opposing positions on environmental issues.
- understand how science and technology influence each other and are pursued for different purposes.
- understand the differences between renewable and nonrenewable resources.

Grade 10 Science ISAT Proficiency Level Descriptors

Proficient

In the area of Nature of Science, tenth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- understand how to explain the components in and among systems, their roles and interactions.
- understand how to use observations, data, and logic as evidence on which to base scientific explanations, and then develop models.
- understand how to use appropriate tools/technology to measure and calculate scientific information using metric units.
- analyze changes that can occur in and among systems.
- identify and utilize the components of scientific problem solving.
- analyze diagrams, charts, graphs, and technical writing.

In the area of Physical Science, tenth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- understand how to explain motion using Newton's laws of motion.
- classify energy as potential and/or kinetic and as energy contained in a field.
- understand how to explain how energy can be transformed but cannot be created nor destroyed.
- identify the properties, functions, and processes of atomic particles and their relationships to electricity and magnetism.
- understand how to explain how chemical reactions may release or consume energy while the quantity of matter remains constant.

In the area of Biology, tenth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- understand how to use the theory of evolution to help explain how and why species change over time.
- understand how to explain relationships between matter and energy in and among living systems.
- identify cellular structures and explain their specialized functions.
- understand how to explain the role and function of DNA.

In the area of Earth Science, tenth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- understand how to use current scientific theories and methods to help explain the formation of the solar system.
- understand how to explain changes in Earth's system throughout geologic time.
- understand how to explain the internal and external energy sources of Earth.

In the area of Personal and Social Perspectives and Technology, tenth grade students typically performing at the Proficient level demonstrate an **understanding** of grade-level skills. These students

- analyze common environmental issues.
- understand how to explain that science and technology influence each other and are pursued for different purposes.
- identify the differences between renewable and nonrenewable resources.

Grade 10 Science ISAT Proficiency Level Descriptors

Basic

In the area of Nature of Science, tenth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- identify the components in and among systems and their roles.
- understand how to use simple observations, data, and logic as evidence on which to base limited scientific explanations.
- understand how to use tools/technology to measure scientific information using metric units.
- recognize changes that can occur in and among systems.
- understand how to use some components of scientific problem solving.
- analyze simple diagrams, charts, graphs, and technical writing.

In the area of Physical Science, tenth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- understand basic motions using Newton's laws of motion.
- understand that energy can be classified as potential and/or kinetic.
- recognize that energy can be transformed but cannot be created nor destroyed.
- identify some basic properties, functions, and processes of atomic particles and their simple relationships to electricity and magnetism.
- recognize that chemical reactions may release or consume energy while the quantity of matter remains constant.

In the area of Biology, tenth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- recognize that the theory of evolution is related to how and why species change over time.
- recognize simple relationships between matter and energy in and among living systems.
- identify some cellular structures and recognize their basic functions.
- identify the role and the primary function of DNA.

In the area of Earth Science, tenth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade-level skills. These students

- recognize that current scientific theories and methods are related to the formation of the solar system.
- understand that changes have occurred in Earth's system throughout geologic time.
- understand some internal and external energy sources of Earth.

In the area of Personal and Social Perspectives and Technology, tenth grade students typically performing at the Basic level demonstrate a **limited understanding** of grade level skills. These students

- recognize common environmental issues.
- understand that science and technology influence each other.
- identify resources as renewable or nonrenewable.

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**TITLE 33
EDUCATION
CHAPTER 1
STATE BOARD OF EDUCATION**

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

**TITLE 33
EDUCATION
CHAPTER 16
COURSES OF INSTRUCTION**

33-1612. THOROUGH SYSTEM OF PUBLIC SCHOOLS. The constitution of the state of Idaho, section 1, article IX, charges the legislature with the duty to establish and maintain a general, uniform and thorough system of public, free common schools. In fulfillment of this duty, the people of the state of Idaho have long enjoyed the benefits of a public school system, supported by the legislature, which has recognized the value of education to the children of this state.

In continuing recognition of the fundamental duty established by the constitution, the legislature finds it in the public interest to define thoroughness and thereby establish the basic assumptions which govern provision of a thorough system of public schools.

A thorough system of public schools in Idaho is one in which:

1. A safe environment conducive to learning is provided;
2. Educators are empowered to maintain classroom discipline;
3. The basic values of honesty, self-discipline, unselfishness, respect for authority and the central importance of work are emphasized;
4. The skills necessary to communicate effectively are taught;
5. A basic curriculum necessary to enable students to enter academic or professional-technical postsecondary educational programs is provided;
6. The skills necessary for students to enter the work force are taught;
7. The students are introduced to current technology; and
8. The importance of students acquiring the skills to enable them to be responsible citizens of their homes, schools and communities is emphasized.

The state board shall adopt rules, pursuant to the provisions of chapter 52, title 67, Idaho Code, and section 33-105(3), Idaho Code, to establish a thorough system of public schools with uniformity as required by the constitution, but shall not otherwise impinge upon the authority of the board of trustees of the school districts. Authority to govern the school district, vested in the board of trustees of the school district, not delegated to the state board, is reserved to the board of trustees. Fulfillment of the expectations of a thorough system of public schools will continue to depend upon the vigilance of district patrons, the dedication of school trustees and educators, the responsiveness of state rules, and meaningful oversight by the legislature.

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

67-5229. INCORPORATION BY REFERENCE. (1) If the incorporation of its text in the agency rules would be unduly cumbersome, expensive, or otherwise inexpedient an agency may incorporate by reference in its rules and without republication of the incorporated material in full, all or any part of:

- (a) A code, standard or rule adopted by an agency of the United States;
- (b) A code, standard or rule adopted by any nationally recognized organization or association;
- (c) A code or standard adopted by Idaho statute or authorized by Idaho statute for adoption by rule; or
- (d) A final rule of a state agency; provided however, that a state agency shall not adopt a temporary rule incorporating by reference a rule of that agency that is being or has been repealed unless the rule providing for the incorporation has been reviewed and approved by the legislature.

(2) The agency shall, as part of the rulemaking:

- (a) Note where copies of the incorporated material may be obtained or electronically accessed; and
- (b) If otherwise unavailable, provide one (1) copy of the incorporated material to the Idaho supreme court law library.

(3) The incorporated material shall be identified with specificity and shall include the date when the code, standard or rule was published, approved or became effective. If the agency subsequently wishes to adopt amendments to previously incorporated material, it shall comply with the rulemaking procedures of this chapter.

(4) Unless prohibited by other provisions of law, the incorporated material is subject to legislative review in accordance with the provisions of section 67-5291, Idaho Code, and shall have the same force and effect as a rule.

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SUBJECT

Approval of Pending Rules Governing Public Charter Schools

REFERENCE

August 9-10, 2007

The Board approved the temporary and proposed rule requiring written response to SDE sufficiency review of a charter petition.

APPLICABLE STATUTE, RULE, OR POLICY

- IDAPA 08.02.04.205, Rules Governing Public Charter Schools
- Section 33-105 (1) Rules – Executive Department, Idaho Code
- Section 33-5203 – Authorization – Limitations, Idaho Code
- Section 33-5210 (2)e – Application of School Law – Accountability – Exception from State Rules

BACKGROUND

Public charter school petitioners are not currently required to address or respond to findings of the State Department of Education's (SDE) sufficiency review, which is intended to ensure legal sufficiency of the petition. In its Virtual Schools Operations Report to the Joint Legislative Oversight Committee in spring 2007, the Office of Performance Evaluations recommended that petitioners be required to respond to the findings of the sufficiency review prior to its submission to an authorized chartering entity.

There was a public comment period and no written comments were received. No changes to the rule have been made since the initial presentation of the temporary and proposed rules.

DISCUSSION

The proposed rule will require public charter school petitioners to address or respond to the findings of SDE's sufficiency review and include said responses, in writing, with the petition upon submission to an authorized chartering entity.

IMPACT

The proposed rule will have little or no fiscal impact. SDE is already staffed to provide technical assistance, including the required sufficiency review, to charter school petitioners.

ATTACHMENTS

Attachment 1 – Pending Rules Governing Public Charter Schools

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STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the pending rule as presented.

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BOARD ACTION

A motion to approve the Pending rule change to IDAPA 08.02.04.205, requiring public charter school petitioners respond to the findings of the SDE's sufficiency review and include said responses, in writing, with the petition upon submission to an authorized chartering entity.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

ATTACHMENT 1

IDAPA 08.02.04.205, RULES GOVERNING PUBLIC CHARTER SCHOOLS

205. REVIEW OF PETITIONS.

01. Initial Review of Petition. Prior to submitting a petition with an authorized chartering entity, petitioners shall submit six (6) copies of the proposed draft petition to the Department, which shall review the proposed draft petition for the purpose of determining whether it was prepared in accordance with the instructions furnished by, and in the format required by, the Board, and contains the information required by Section 33-5205, Idaho Code. (4-11-06)

02. Timeframe for Initial Review. The Department shall complete the initial review of the proposed draft petition as soon as reasonably practicable after the date the proposed draft petition is received by the Department, but not later than thirty (30) days after receipt. (4-11-06)

03. Notification of Findings After Initial Review. The Department shall notify the petitioners promptly in writing describing the results of the initial review of the proposed draft petition, and, if applicable, identify any deficiencies in the proposed draft petition. (4-11-06)

04. Written Response to Initial Review. Petitioners shall include a copy of the Department's initial review of the proposed draft petition, and a written response to the findings of such review, with the petition upon submission to an authorized chartering entity. Deficiencies in the petition identified by the Department's initial review shall be addressed in the written response.

~~04-~~ **05. Substantive Review of Petition.** The substantive review of the merits of a petition by an authorized chartering entity shall be for the purpose of determining whether petitioners have demonstrated compliance with Title 33, Chapter 52, Idaho Code. (4-11-06)

~~05-~~ **06. Timeframe for Substantive Review.** An authorized chartering entity must comply with the procedural requirements described in Section 33-5205, Idaho Code. (4-11-06)

a. Unless a petition is referred to the Commission as authorized by Section 33-5205(1)(c)(iii), Idaho Code, and as discussed in Subsection 206.01 of these rules, an authorized chartering entity must hold a public hearing not later than sixty (60) days after receipt of the petition, for the purpose of considering the merits of the petition, as well as the level of employee and parental support for the proposed public charter school. In the case of a petition being reviewed by the Commission, the public hearing must also include any oral or written comments, if any, from an authorized representative of the school district in which the proposed public charter school would be physically located regarding the merits of the petition and any potential impacts on the school district. (4-11-06)

b. An authorized chartering entity must make a decision on whether to approve the petition within sixty (60) days after the date of the public hearing on the merits of the petition. (4-11-06)

c. The authorized chartering entity may unilaterally determine to extend the date by which a decision is required to be made up to an additional sixty (60) days if it determines the petition is incomplete. (4-11-06)

d. The Commission and the petitioners may mutually agree to extend the date by which a decision is required to be made on the merits of the petition up to an additional ninety (90) days. (4-11-06)

~~06-~~ **07. If Approved, Charter Is Subject to Limitations on Number of New Charters.**
(4-11-06)

a. If a petition is approved, then the authorized chartering entity must promptly prepare for

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petitioners a written notice of its decision to approve the charter. It shall be the responsibility of the petitioners to provide the Board with this written notice of approval, and with a copy of the final approved petition, in accordance with the procedure described in Section 100 of these rules. (4-11-06)

b. The approval of a charter by an authorized chartering entity does not provide the petitioners with any right to begin educational instruction at the public charter school during a particular school year, or in accordance with the terms and conditions of the charter, as such approval is conditioned upon the limitations on the number of new public charter schools that may be approved to begin educational instruction for a school year, as described in Section 100 of these rules. (4-11-06)

~~07-~~ 08. If Denied, Petitioners May Appeal. (4-11-06)

a. If a petition is denied, then the authorized chartering entity must promptly prepare for petitioners a written notice of its decision to deny the charter. The written decision shall include all of the reasons for the denial, and shall also include a reasoned statement that states or explains the criteria and standards considered relevant by the authorized chartering entity, the relevant contested facts relied upon, and the rationale for the decision based on the applicable statutory provisions and factual information presented to the authorized chartering entity. (4-11-06)

b. The petitioners may appeal the decision of the authorized chartering entity, in accordance with the procedures described in Sections 401 through 402 of these rules. (4-11-06)

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**TITLE 33
EDUCATION
CHAPTER 1
STATE BOARD OF EDUCATION**

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

**TITLE 33
EDUCATION
CHAPTER 52
PUBLIC CHARTER SCHOOLS**

33-5203. AUTHORIZATION -- LIMITATIONS. (1) The creation of public charter schools is hereby authorized. Public charter schools shall be part of the state's program of public education.

(2) The number of new public charter schools which may begin educational instruction in any one (1) school year shall be limited in number in accordance with the following:

(a) Not more than six (6) new public charter schools may begin educational instruction in any one (1) school year, and

(b) Not more than one (1) new public charter school may begin educational instruction that is physically located within any one (1) school district in any one (1) school year, and

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

(d) Public virtual charter schools approved by the public charter school commission are not included in paragraph (b) of this subsection, and

(e) The transfer of a charter for a school already authorized pursuant to section 33-5205A, Idaho Code, is not included in the limit on the annual number of public charter schools approved to begin educational instruction in any given school year as set forth in paragraph (a) of this subsection, and

(f) A petition must be received by the initial authorized chartering entity no later than September 1 to be eligible to begin instruction the first complete school year following receipt of the petition, and

(g) To begin operations, a newly-chartered public school must be authorized by no later than January 1 of the previous school year.

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

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

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

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

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

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

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

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

**TITLE 33
EDUCATION
CHAPTER 52
PUBLIC CHARTER SCHOOLS**

33-5210. APPLICATION OF SCHOOL LAW -- ACCOUNTABILITY -- EXEMPTION FROM

STATE RULES. (1) All public charter schools are under the general supervision of the state board of education.

(2) Every authorized chartering entity that approves a charter shall be responsible for ensuring that each public charter school program approved by that authorized chartering entity meets the terms of the charter, complies with the general education laws of the state unless specifically directed otherwise in this chapter 52, title 33, Idaho Code, and operates in accordance with the state educational standards of thoroughness as defined in section 33-1612, Idaho Code.

(3) Each charter school shall comply with the financial reporting requirements of section 33-701, subsections 5. through 10., Idaho Code, in the same manner as those requirements are imposed upon school districts.

(4) Each public charter school is otherwise exempt from rules governing school districts which have been promulgated by the state board of education, with the exception of state rules relating to:

(a) Waiver of teacher certification as necessitated by the provisions of section 33-5205(3)(g), Idaho Code;

(b) Accreditation of the school as necessitated by the provisions of section 33-5205(3)(e), Idaho Code;

(c) Qualifications of a student for attendance at an alternative school as necessitated by the provisions of section 33-5208(3), Idaho Code;

(d) The requirement that all employees of the school undergo a criminal history check as required by section 33-130, Idaho Code; and

(e) All rules which specifically pertain to public charter schools promulgated by the state board of education.

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SUBJECT

Approval by Board, the State Education Agency (SEA) for Idaho, for the State Department of Education (SDE) to apply for a grant available under section 1003(g) School Improvement Fund of the Elementary and Secondary Education Act (ESEA)

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-110, Agency to Negotiate, and Accept Federal Assistance. Idaho Code

BACKGROUND

The Board receives federal grant funds from the Elementary and Secondary Education Act. Annually, at the June meeting, the Board determines the distribution of these funds for the purposes of administration and assuring the required flow-through to local education agencies. Each year these funds are made available to the state on approximately July 1.

DISCUSSION

In June 2007 the Board distributed funds according to its annual calendar. However, for the first time, 2007 formula funds are being made available under an additional section of the law. The state received notice regarding these funds on October 2. The requirement to access these grants is that State educational agencies must apply for these formula grant funds by submitting an application to the U.S. Department of Education (Department). These funds are authorized under a separate section of Title I. Each year the Board authorizes the State Department of Education to receive and administer Title I funds in accordance with applicable laws. The new money is intended to enhance the amount of money that is currently allowed to be set aside for the purpose of school improvement. At a time when Idaho has 31 schools and 21 districts in year 4 (corrective action and planning for restructuring) of school improvement, it is important to make all possible resources available to address improvement issues. It is logical that SDE should be authorized to proceed with obtaining and using the additional funds.

IMPACT

Authorizing SDE to apply for these funds will provide additional funds for school improvement in the amount of \$431,188.

ATTACHMENTS

N/A

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends that the Board delegate authority to SDE to apply for and administer the School Improvement Fund grant.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

BOARD ACTION

A motion to approve authority delegation by the State Board of Education (the State Education Agency) to the State Department of Education, to apply for School Improvement Fund grant (CFDA #84.377A) and to administer these funds in accordance with federal law and regulations.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

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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**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

**INSTITUTION / AGENCY AGENDA
LEWIS-CLARK STATE COLLEGE**

SUBJECT

Lewis-Clark State College Property Acquisition

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.I.2.

BACKGROUND

Lewis-Clark State College (LCSC) has an opportunity to purchase the property at 604 10th Ave, Lewiston, Idaho, owned by Therese Economen. The property includes a single-story house with full basement (1,014 square feet on ground floor and in basement) in average condition, built in 1928. The property is strategically located across from the 6th Street entrance to Harris Field (baseball complex), and immediately south of one of the College's main parking lots.

DISCUSSION

The property in question lies in the heart of the College's planned growth/impact area. The College sought an opportunity to acquire this property for many years, and now has a window of opportunity to make the acquisition through a local realtor (obviating the need to use eminent domain to obtain the property). Scheduled closing date is November 16, 2007.

IMPACT

An offer to purchase the property for \$141,500 has been made (5.6% above the appraised value of \$134,000), and accepted by seller, contingent upon State Board approval of the purchase. Terms for the purchase are \$1,000 earnest money (now on deposit), and the remaining \$140,500 paid in cash at closing. The source for these funds will be institutional reserves. The College may use the property as a rental until such time that the land can be incorporated into additional parking.

ATTACHMENTS

Attachment 1 – Overhead Photo of Property	Page 3
Attachment 2 – Property Appraisal Report	Page 4
Attachment 3 – Purchase and Sale Agreement	Page 21
Attachment 4 – Purchase and Sale Agreement Addendum	Page 23

STAFF COMMENTS AND RECOMMENDATIONS

Staff has asked the institution to be prepared to discuss the reason the offer was made 5.6% above the appraised value.

Staff recommends approval.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

BOARD ACTION

A motion to approve the request by Lewis-Clark State College to purchase the above-described property for approximately \$141,500, and to authorize the Vice President for Administrative Services to execute all documents relating to this transaction.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

1 inch equals 70 feet



**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

ATTACHMENT 2

FROM:

Wayne T. Agee
Western Appraisal
1014 Main St.
Lewiston, ID 83501

Telephone Number: (208) 746-9891

Fax Number: (208) 746-9895

TO:

Scott Brown
Lewis-Clark State College
500 8th Ave.
Lewiston, ID 83501

Telephone Number: 208-792-2240

Fax Number: 208-792-2077

Alternate Number:

E-Mail:

INVOICE

INVOICE NUMBER

RL5536

DATE

Fielded 09/06/2007

REFERENCE

Internal Order #: RL5536

Lender Case #:

Client File #:

Main File # on form: RL5536

Other File # on form: RL5536

Federal Tax ID:

Employer ID:

DESCRIPTION

Lender: Lewis-Clark State College

Client: Lewis-Clark State College

Purchaser/Borrower: N/A

Property Address: 604 10th Ave.

City: Lewiston

County: Nez Perce

State: ID

Zip: 83501

Legal Description: Lewiston: Park Addition, Lot 12, Block 31

FEES

AMOUNT

1004 URAR

400.00

SUBTOTAL

400.00

PAYMENTS

AMOUNT

Check #: Date: Description:

Check #: Date: Description:

Check #: Date: Description:

SUBTOTAL

TOTAL DUE

\$ 400.00

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Uniform Residential Appraisal Report

ATTACHMENT 2

File No. RL5536 Page #1

RL5536

File # RL5536

SUBJECT	The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.				
	Property Address 604 10th Ave.		City Lewiston	State ID Zip Code 83501	
	Borrower N/A		Owner of Public Record Therese M. Economen	County Nez Perce	
	Legal Description Lewiston: Park Addition, Lot 12, Block 31				
	Assessor's Parcel # RPL11200310120A		Tax Year 2006	R.E. Taxes \$ 851.06	
	Neighborhood Name Lewiston		Map Reference 35-A	Census Tract 9904.00	
	Occupant <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant		Special Assessments \$ N/A	<input type="checkbox"/> PUD HOA \$ N/A <input type="checkbox"/> per year <input type="checkbox"/> per month	
	Property Rights Appraised <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other (describe)				
	Assignment Type <input type="checkbox"/> Purchase Transaction <input type="checkbox"/> Refinance Transaction <input checked="" type="checkbox"/> Other (describe) Determination of Current Market Value for Client				
	Lender/Client Lewis-Clark State College Address 500 8th Ave., Lewiston, ID 83501				
CONTRACT	Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
	Report data source(s) used, offering price(s), and date(s). There is no current listing in the Lewis/Clark Multiple Listing Service for the subject property.				
	I <input type="checkbox"/> did <input type="checkbox"/> did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed. N/A				
	Contract Price \$ N/A Date of Contract N/A Is the property seller the owner of public record? <input type="checkbox"/> Yes <input type="checkbox"/> No Data Source(s)				
	Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? <input type="checkbox"/> Yes <input type="checkbox"/> No				
	If Yes, report the total dollar amount and describe the items to be paid.				
NEIGHBORHOOD	Note: Race and the racial composition of the neighborhood are not appraisal factors.				
	Neighborhood Characteristics		One-Unit Housing Trends	One-Unit Housing Present Land Use %	
	Location <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Rural		Property Values <input checked="" type="checkbox"/> Increasing <input type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE AGE	One-Unit 75 %
	Built-Up <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%		Demand/Supply <input checked="" type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$ (000) (yrs)	2-4 Unit 7 %
	Growth <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow		Marketing Time <input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	50 Low 1	Multi-Family 5 %
	Neighborhood Boundaries The subject neighborhood is bounded by the Clearwater River to the North,		685 High 120	Commercial 10 %	
	Snake River to the West, 17th St. to the East and 16th Ave. to the South,		135 Pred. 50	Other 3 %	
	Neighborhood Description The subject is located in a primarily single family residential neighborhood with commercial properties located on the arterial streets. Employment, schools and retail shopping are a short commute from the subject property. Single family residential properties in the neighborhood vary in size, style, age and value. Sites vary in size from 3,500 sq. ft. to 12,000 sq. ft.				
	Market Conditions (including support for the above conclusions) Sales have slowed over the past year after two years of appreciation in the market. Current market times average less than 94 days and sale prices are currently about 98% of list. Few concessions are necessary for sales, however, some sellers are offering to assist with closing costs. New construction continues at a decreased rate.				
	Dimensions 50' x 142' Area 7,100 Sq.Ft. Shape Rectangular View Average				
SITE	Specific Zoning Classification R3		Zoning Description Medium Density Residential (7,500 sq. ft. minimum)		
	Zoning Compliance <input type="checkbox"/> Legal <input checked="" type="checkbox"/> Legal Nonconforming (Grandfathered Use) <input type="checkbox"/> No Zoning <input type="checkbox"/> Illegal (describe)				
	Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe				
	Utilities Public Other (describe)		Public Other (describe)		
	Electricity <input checked="" type="checkbox"/> <input type="checkbox"/>		Water <input checked="" type="checkbox"/> <input type="checkbox"/>		
	Gas <input checked="" type="checkbox"/> <input type="checkbox"/>		Sanitary Sewer <input checked="" type="checkbox"/> <input type="checkbox"/>		
	Off-site Improvements - Type		Public Private		
	Street Asphalt <input checked="" type="checkbox"/> <input type="checkbox"/>		Alley Asphalt <input checked="" type="checkbox"/> <input type="checkbox"/>		
	FEMA Special Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FEMA Flood Zone C FEMA Map # 1601040003B FEMA Map Date 1/20/1982				
	Are the utilities and off-site improvements typical for the market area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe				
Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe					
IMPROVEMENTS	General Description		Foundation	Exterior Description materials/condition	Interior materials/condition
	Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit		<input type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space	Foundation Walls Concrete/A	Floors Crpt,Vnvl,Tile/A
	# of Stories 1 Story		<input checked="" type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement	Exterior Walls Wood Siding/A	Walls Plaster,Panel/Av
	Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit		Basement Area 1,014 sq.ft.	Roof Surface Comp. Shingle/A-	Trim/Finish Wd,Pnt,Ppr/Av
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.		Basement Finish 80 %	Gutters & Downspouts None	Bath Floor Vinyl,Tile/Av
	Design (Style) 1 Story/Bsmt		<input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump	Window Type Wood/Av-	Bath Wainscot Tile,Cnort/Av
	Year Built 1928		Evidence of <input type="checkbox"/> Infestation	Storm Sash/Insulated Mix/Av	Car Storage <input type="checkbox"/> None
	Effective Age (Yrs) 20-25		<input type="checkbox"/> Dampness <input type="checkbox"/> Settlement	Screens Screens,Storms/A	<input checked="" type="checkbox"/> Driveway # of Cars 2
	Attic <input type="checkbox"/> None		Heating <input checked="" type="checkbox"/> PWA <input type="checkbox"/> HWBB <input type="checkbox"/> Radiant	Amenities <input type="checkbox"/> Woodstove(s) #	Driveway Surface Concrete
	<input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs		<input type="checkbox"/> Other Fuel Gas	<input type="checkbox"/> Fireplace(s) #	<input type="checkbox"/> Garage # of Cars
<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Scuttle		Cooling <input checked="" type="checkbox"/> Central Air Conditioning	<input checked="" type="checkbox"/> Patio/Deck <input checked="" type="checkbox"/> Porch	<input type="checkbox"/> Carport # of Cars	
<input type="checkbox"/> Finished <input type="checkbox"/> Heated		<input type="checkbox"/> Individual <input type="checkbox"/> Other	<input type="checkbox"/> Pool <input type="checkbox"/> Other	<input type="checkbox"/> Att. <input type="checkbox"/> Det. <input type="checkbox"/> Built-in	
Appliances <input type="checkbox"/> Refrigerator <input type="checkbox"/> Range/Oven <input checked="" type="checkbox"/> Dishwasher <input type="checkbox"/> Disposal <input type="checkbox"/> Microwave <input type="checkbox"/> Washer/Dryer <input checked="" type="checkbox"/> Other (describe)		Fan/Hood			
Finished area above grade contains: 5 Rooms 2 Bedrooms 1 Bath(s) 1,014 Square Feet of Gross Living Area Above Grade					
Additional features (special energy efficient items, etc.) Energy efficiency is typical of a residence of this style, quality and condition in the market area.					
Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.) Upon observation the appraiser found the subject residence to be in average overall condition for it's effective age. The subject roof is showing numerous signs of deferred maintenance with little remaining economic life. The appraiser is therefore making the extraordinary assumption that the roof does not allow any water intrusion. A roof inspection would be suggested by the appraiser.					
Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe					
Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe					

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Uniform Residential Appraisal Report**

ATTACHMENT 2

File No. RL5536 Page #2

RL5536

File # RL5536

There are 9 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 110,000 to \$ 150,000	
There are 27 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 110,000 to \$ 150,000	
FEATURE	SUBJECT
Address 604 10th Ave. Lewiston, ID 83501	1017 8th Ave. Lewiston, ID 83501
Proximity to Subject	0.35 miles NE
Sale Price	\$ 131,000
Sale Price/Gross Liv. Area	\$ 126.69 sq.ft.
Data Source(s)	County Records, MLS
Verification Source(s)	County Records, MLS
VALUE ADJUSTMENTS	DESCRIPTION
Sales or Financing	Conventional
Concessions	No Concession
Date of Sale/Time	02/06/07 - 35
Location	Lewiston
Leasehold/Fee Simple	Fee Simple
Site	7,100 Sq.Ft.
View	Average
Design (Style)	1 Story/Bsmt
Quality of Construction	Average
Actual Age	A 79, E 20-25
Condition	Average
Above Grade	Total Bdrms. Baths
Room Count	5 2 1
Gross Living Area	1,014 sq.ft.
Basement & Finished	1,014 sq. ft.
Rooms Below Grade	811 Finished
Functional Utility	Average
Heating/Cooling	GFA/CAC
Energy Efficient Items	Average
Garage/Carport	O.S.P.
Porch/Patio/Deck	Porch, Patio
Aux Heat	Fireplace
Other Amenities	Fence, Shed
Net Adjustment (Total)	\$ 750
Adjusted Sale Price	Net Adj. 0.6%
of Comparables	Gross Adj. 5.9%
1 <input checked="" type="checkbox"/> did <input type="checkbox"/> did not research the sale or transfer history of the subject property and comparable sales. If not, explain	
My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.	
Data Source(s) County Records, Owner, MLS	
My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.	
Data Source(s) County Records, MLS	
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).	
ITEM	SUBJECT
Date of Prior Sale/Transfer	None Found
Price of Prior Sale/Transfer	N/A
Data Source(s)	Cnty Records, MLS, Owner
Effective Date of Data Source(s)	09/06/2007
Analysis of prior sale or transfer history of the subject property and comparable sales The subject property has not transferred in the past 3 years. None of the comparable sales have transferred in 1 year prior to the sales dates given. Comparable # 3 has been listed by Carquill Real Estate for \$194,500. This listing appears to be over listed (priced) and out of market as little improvement has been made to the property since it's purchase in April of this year. None of the other comparable sales are currently subject to a sale or listing agreement.	
Summary of Sales Comparison Approach There have been several sales of properties in the market area over the past 9 months with similarity to the subject in size, age, condition, utility and function. The five comparable sales given are the most recent and similar to the subject property. All of the comparable sales required fairly similar adjustment and were therefore given equal consideration in the indicated value by the Sales Comparison Approach. FOR FURTHER COMMENTS ON THE ADJUSTMENTS MADE IN THE SALES COMPARISON APPROACH SEE THE COMMENTS SECTION ON PAGE # 3.	
Indicated Value by Sales Comparison Approach \$ 134,000	
Indicated Value by: Sales Comparison Approach \$ 134,000 Cost Approach (if developed) \$ 113,032 Income Approach (if developed) \$ N/A	
The Sales Comparison Approach is generally the most accurate reflection of what buyers are currently paying in the market area. Therefore, the Indicated value by the Sales Comparison Approach was given the most weighting in the in final opinion of value below.	
This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or <input type="checkbox"/> subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair:	
Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$ 134,000 , as of 09/06/2007 , which is the date of inspection and the effective date of this appraisal.	

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Uniform Residential Appraisal Report**

ATTACHMENT 2

File No. RL5536 Page #3

RL5536

File # RL5536

HIGHEST AND BEST USE: The current residential use of the subject property is legal, physically possible, financially feasible and appropriately supported. It is the appraiser's opinion that the "highest and best use" of the subject property is residential.

MARKET DATA: The comparable sales used in the Sales Comparison Approach for the subject property were the most recent in the subject market area with some similarity to the subject property. Following is a general discussion of the adjustments made in the Sales Comparison Approach. Adjustments are based on the appraiser's analysis of recent residential sales in the subject market area.

SUBJECT: The subject property consists of a 7,100 sq. ft. site with a 1,014 sq. ft. residence on a full, partially finished basement area. The subject residence is showing numerous signs of deferred maintenance. The subject roof is in below average condition and in need of inspection for possible water intrusion. The shower of the 3/4 bathroom in the basement area is non operational per a conversation with the owner. The storage and utility area of the basement do not have drywall or panel ceilings or floor coverings. There are also several lighting outlets and fixtures which the current owner stated are no longer operational. Other than the roof upon observation the appraiser found the subject residence to be in average overall condition. The subject garage is also in poor condition with roof and siding damage. **Due to the condition and therefore little utility of the garage area as a place for car storage, it was adjusted in the Sales Comparison Approach as a storage shed and not counted as a garage area.**

ADDITIONAL COMMENTS

COMPARABLE 1: Upon analysis of recent residential site sales in the market area the appraiser determined that an adjustment was necessary for the comparable's smaller site. Finished basement area was adjusted at \$10 per sq. ft. and rounded to the nearest \$50. The comparable property has a shop which is more functional for enclosed storage and work space than the subject's storage shed/garage area. The comparable property has an under ground sprinkler system.

COMPARABLE 2: Living area was adjusted at \$20 per sq. ft. and rounded to the nearest \$50. Finished basement area was adjusted as before. The comparable's cooling system is less functional for year round use. The comparable property has a detached garage that is more functional for enclosed car storage and work space. The comparable's under ground sprinkler system would have similar market value to the subject's storage shed/garage area.

COMPARABLE 3: All adjustments were made as before.

COMPARABLE 4: The comparable residence has recently received several updates and shows less wear and tear associated with age. Living and finished basement areas were adjusted as before. Unfinished basement area was adjusted at \$5 per sq. ft. and rounded to the nearest \$50. All other adjustments were made as before.

COMPARABLE 5: Site was adjusted as before. Wear and tear associated with age was adjusted as before. All other adjustments were made as before.

COST APPROACH TO VALUE (not required by Fannie Mae)

Provide adequate information for the lender/client to replicate the below cost figures and calculations.

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) The most recent residential site sales in the subject neighborhood with similarity in size, access and utility to the subject have a price per square foot range of \$2.66 to \$3.87. The subject site has average access and utility with level topography. Therefore, the appraiser has determined that the subject site would be in the middle of the range at approximately \$3.50 per square foot. This equals an estimated market value for the subject site at approximately \$24,850

ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input checked="" type="checkbox"/> REPLACEMENT COST NEW	OPINION OF SITE VALUE	= \$	24,850
Source of cost data Marshall and Swift Cost Handbook	DWELLING 1,014 Sq.Ft. @ \$ 82.75	= \$	83,909
Quality rating from cost service Average Effective date of cost data 01/07	Unfin. Bsmt 1,014 Sq.Ft. @ \$ 16.58	= \$	16,812
Comments on Cost Approach (gross living area calculations, depreciation, etc.)	Finished Basement, Floor Cover, Kit. Equip.	= \$	16,754
Site value is based upon the analysis given above. Cost was developed from Marshall & Swift Cost Manual, adjusted by the appraiser's files and with local cost data obtained through discussions with local contractors.	Garage/Carport Sq.Ft. @ \$	= \$	
Physical depreciation is based on the age/life method and adjusted for the local market. See attached building sketch for residence dimensions.	Total Estimate of Cost-New	= \$	117,475
	Less Physical Depreciation 39,154	= \$(39,154)
	Depreciated Cost of Improvements	= \$	78,321
	"As-Is" Value of Site Improvements	= \$	9,861

Estimated Remaining Economic Life (HUD and VA only) 40 Years INDICATED VALUE BY COST APPROACH = \$ 113,032

INCOME APPROACH TO VALUE (not required by Fannie Mae)

Estimated Monthly Market Rent \$ N/A X Gross Rent Multiplier N/A = \$ N/A Indicated Value by Income Approach
Summary of Income Approach (including support for market rent and GRM)

PUD INFORMATION

PROJECT INFORMATION FOR PUDs (if applicable)

Is the developer/builder in control of the Homeowners' Association (HOA)? ☐ Yes ☐ No Unit type(s) ☐ Detached ☐ Attached
Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.
Legal Name of Project
Total number of phases Total number of units Total number of units sold
Total number of units rented Total number of units for sale Data source(s)
Was the project created by the conversion of existing building(s) into a PUD? ☐ Yes ☐ No If Yes, date of conversion.
Does the project contain any multi-dwelling units? ☐ Yes ☐ No Data Source
Are the units, common elements, and recreation facilities complete? ☐ Yes ☐ No If No, describe the status of completion.
Are the common elements leased to or by the Homeowners' Association? ☐ Yes ☐ No If Yes, describe the rental terms and options.
Describe common elements and recreational facilities.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Uniform Residential Appraisal Report**

ATTACHMENT 2

File No. RL5536 Page #4

RL5536
File # RL5536

This report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit, including a unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing the appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Uniform Residential Appraisal Report**

ATTACHMENT 2

File No. RL5536 Page #5

RL5536
File # RL5536

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Uniform Residential Appraisal Report

ATTACHMENT 2

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File # RL5536

21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature Wayne T. Agee
Name Wayne T. Agee
Company Name Western Appraisals
Company Address 1014 Main St., Lewiston, ID 83501
Telephone Number (208) 746-9891
Email Address wayne@westernapp.com
Date of Signature and Report 09/10/2007
Effective Date of Appraisal 09/06/2007
State Certification # _____
or State License # LRA-1868
or Other (describe) _____ State # _____
State ID _____
Expiration Date of Certification or License 12/30/2007

ADDRESS OF PROPERTY APPRAISED

604 10th Ave.
Lewiston, ID 83501
APPRAISED VALUE OF SUBJECT PROPERTY \$ 134,000
LENDER/CLIENT
Name Scott Brown
Company Name Lewis-Clark State College
Company Address 500 8th Ave., Lewiston, ID 83501
Email Address lkbowen@lsc.edu

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____
Name _____
Company Name _____
Company Address _____
Telephone Number _____
Email Address _____
Date of Signature _____
State Certification # _____
or State License # _____
State _____
Expiration Date of Certification or License _____

SUBJECT PROPERTY

- ☐ Did not inspect subject property
☐ Did inspect exterior of subject property from street
Date of Inspection _____
☐ Did inspect interior and exterior of subject property
Date of Inspection _____

COMPARABLE SALES

- ☐ Did not inspect exterior of comparable sales from street
☐ Did inspect exterior of comparable sales from street
Date of Inspection _____

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Uniform Residential Appraisal Report**

ATTACHMENT 2

File No. RL5536 Page #7

RL5536

File # RL5536

FEATURE		SUBJECT		COMPARABLE SALE #4		COMPARABLE SALE #5		COMPARABLE SALE #6	
Address 604 10th Ave. Lewiston, ID 83501		1425 3rd St. Lewiston, ID 83501		1110 14th St. Lewiston, ID 83501					
Proximity to Subject		0.4 miles SW		0.57 miles E					
Sale Price		\$ N/A		\$ 134,079		\$ 145,900		\$	
Sale Price/Gross Liv. Area		\$ sq.ft.		\$ 143.25 sq.ft.		\$ 156.04 sq.ft.		\$ sq.ft.	
Data Source(s)		County Records, MLS		County Records, MLS		County Records, MLS			
Verification Source(s)		County Records, MLS		County Records, MLS		County Records, MLS			
VALUE ADJUSTMENTS		DESCRIPTION		+(-) \$ Adjustment		DESCRIPTION		+(-) \$ Adjustment	
Sales or Financing Concessions		Conventional No Concession				Conventional No Concession			
Date of Sale/Time		05/04/07 - 109				05/23/07 - 51			
Location		Lewiston				Lewiston			
Leasehold/Fee Simple		Fee Simple				Fee Simple			
Site		7,100 Sq.Ft.		6,400 sq. ft.		5,000 sq. ft.		+3,500	
View		Average				Average			
Design (Style)		1 Story/Bsmt				1 Story/Bsmt			
Quality of Construction		Average				Average			
Actual Age		A 79, E 20-25		A 87, E 15-20		A 70, E 15-20		-7,500	
Condition		Average				Average			
Above Grade		Total Bdrms. Baths		Total Bdrms. Baths		Total Bdrms. Baths		Total Bdrms. Baths	
Room Count		5 2 1		5 2 1		5 2 1			
Gross Living Area		1,014 sq.ft.		936 sq.ft.		935 sq.ft.		+1,600	
Basement & Finished		1,014 Sq.Ft.		916 sq. ft.		+500 935 sq. ft.		+400	
Rooms Below Grade		811 Finished		Unfinished		+8,100 935 Finished		-1,250	
Functional Utility		Average				Average			
Heating/Cooling		GFA/CAC		GFA/CAC		GFA/CAC			
Energy Efficient Items		Average				Average			
Garage/Carport		O.S.P.		1-G Det.		1-G Det.		-2,500	
Porch/Patio/Deck		Porch/Patio		Porch/Patio		Porch/Patio			
Aux Heat		Fireplace		Fireplace		Fireplace			
Other Amenities		Fence,Shed		Fnc,UGS,Shed		Fence,UGSS		-1,000	
Net Adjustment (Total)				+ - \$ -850		+ - \$ -5,750		+ - \$	
Adjusted Sale Price of Comparables				Net Adj. 0.6 % Gross Adj. 15.8 % \$ 133,229		Net Adj. 3.9 % Gross Adj. 11.5 % \$ 140,150		Net Adj. % Gross Adj. % \$	
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).									
ITEM		SUBJECT		COMPARABLE SALE #4		COMPARABLE SALE #5		COMPARABLE SALE #6	
Date of Prior Sale/Transfer		None Found		None Found		None Found			
Price of Prior Sale/Transfer		N/A		N/A		N/A			
Data Source(s)		Cnty Records,MLS,Owner		County Records, MLS		County Records, MLS			
Effective Date of Data Source(s)		09/06/2007		09/07/2007		09/07/2007			
Analysis of prior sale or transfer history of the subject property and comparable sales See comments on page # 2									
Analysis/Comments See comments section on page # 3 for further comments on the comparable sales.									

Freddie Mac Form 70 March 2005

Fannie Mae Form 1004 March 2005

Form 1004.(AC) — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Subject Photo Page

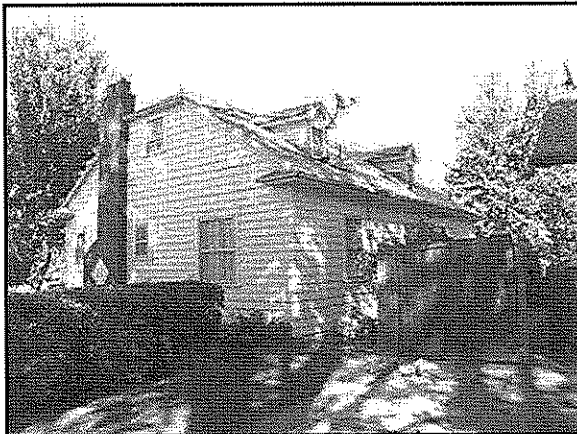
ATTACHMENT 2
File No. RI5536 Page #8

Borrower/Client	N/A				
Property Address	604 10th Ave.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				

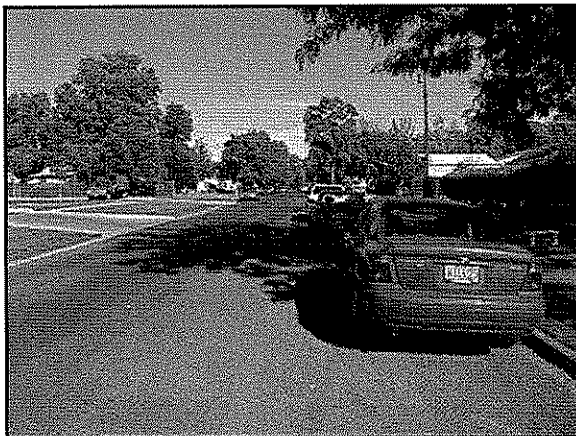


Subject Front

604 10th Ave.
Sales Price N/A
Gross Living Area 1,014
Total Rooms 5
Total Bedrooms 2
Total Bathrooms 1
Location Lewiston
View Average
Site 7,100 Sq.Ft.
Quality Average
Age A 79, E 20-25



Subject Rear



Subject Street

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Subject Photo Page

ATTACHMENT 2
File No. RL5536 Page #9

Borrower/Client	N/A				
Property Address	604 10th Ave.				
City	Lewiston	County	Nez Perce	State	ID Zip Code 83501
Lender	Lewis-Clark State College				

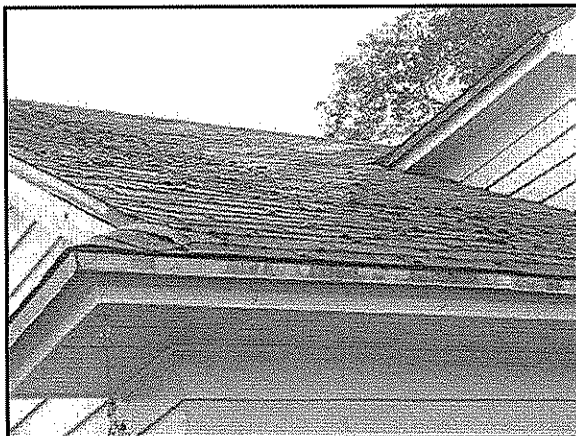


Subject damaged roofing

604 10th Ave.
Sales Price N/A
Gross Living Area 1,014
Total Rooms 5
Total Bedrooms 2
Total Bathrooms 1
Location Lewiston
View Average
Site 7,100 Sq.Ft.
Quality Average
Age A 79, E 20-25



Subject missing shingles

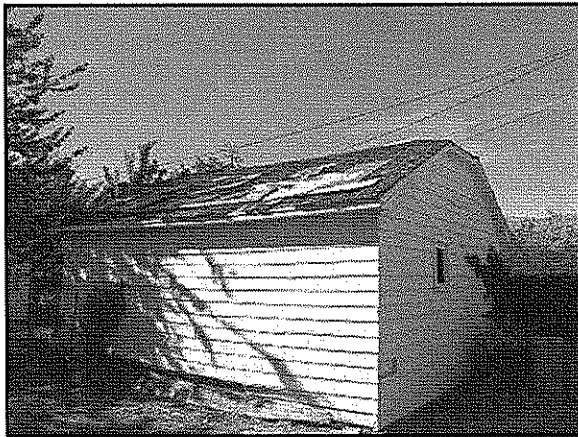


Subject Moss build-up on roof

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Subject Photo Page

ATTACHMENT 2
File No. RL5536 Page #10

Borrower/Client	N/A				
Property Address	604 10th Ave.				
City	Lewiston	County	Nez Perce	State	ID Zip Code 83501
Lender	Lewis-Clark State College				



Garage damaged roof & siding

604 10th Ave.
Sales Price N/A
Gross Living Area 1,014
Total Rooms 5
Total Bedrooms 2
Total Bathrooms 1
Location Lewiston
View Average
Site 7,100 Sq.Ft.
Quality Average
Age A 79, E 20-25



Garage interior floor

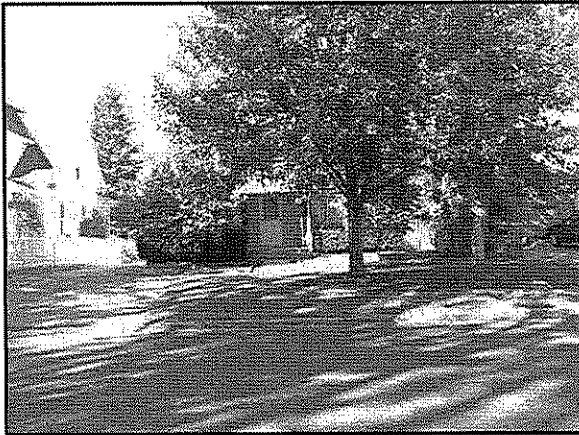


Garage interior roof

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Comparable Photo Page**

ATTACHMENT 2
File No. RL55361 Page #11

Borrower/Client	N/A				
Property Address	604 10th Ave.				
City	Lewiston	County	Nez Perce	State	ID
Lender	Lewis-Clark State College				
				Zip Code	83501



Comparable 1

1017 8th Ave.
Prox. to Subject 0.35 miles NE
Sales Price 131,000
Gross Living Area 1,034
Total Rooms 4
Total Bedrooms 2
Total Bathrooms 1
Location Lewiston
View Average
Site 6,035 sq. ft.
Quality Average
Age A 82, E 20-25



Comparable 2

1008 9th Ave.
Prox. to Subject 0.3 miles E
Sales Price 137,500
Gross Living Area 1,216
Total Rooms 5
Total Bedrooms 2
Total Bathrooms 1
Location Lewiston
View Average
Site 7,100 sq. ft.
Quality Average
Age A 92, E 20-25



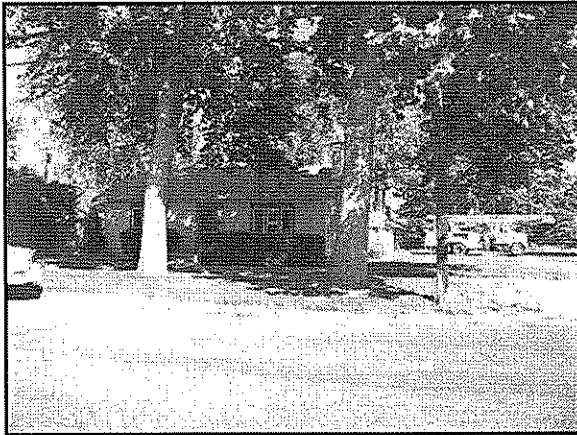
Comparable 3

1127 8th St.
Prox. to Subject 0.19 miles SE
Sales Price 135,000
Gross Living Area 976
Total Rooms 4
Total Bedrooms 2
Total Bathrooms 1
Location Lewiston
View Average
Site 5,600 sq. ft.
Quality Average
Age A 74, E 20-25

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Comparable Photo Page**

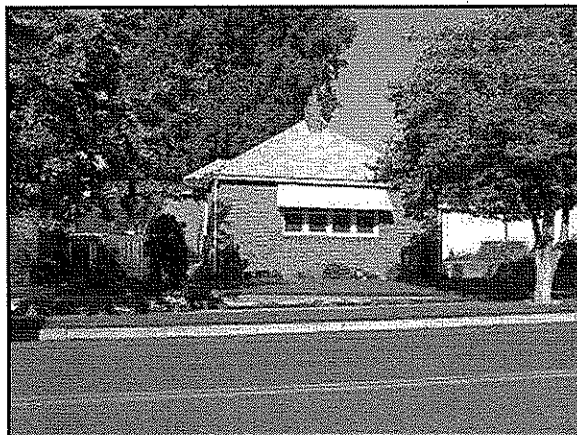
ATTACHMENT 2
File No. RI.5536 Page #12

Borrower/Client	N/A				
Property Address	604 10th Ave.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				



Comparable 4

1425 3rd St.
Prox. to Subject 0.4 miles SW
Sales Price 134,079
Gross Living Area 936
Total Rooms 5
Total Bedrooms 2
Total Bathrooms 1
Location Lewiston
View Average
Site 6,400 sq. ft.
Quality Average
Age A 87, E 15-20



Comparable 5

1110 14th St.
Prox. to Subject 0.57 miles E
Sales Price 145,900
Gross Living Area 935
Total Rooms 5
Total Bedrooms 2
Total Bathrooms 1
Location Lewiston
View Average
Site 5,000 sq. ft.
Quality Average
Age A 70, E 15-20

Comparable 6

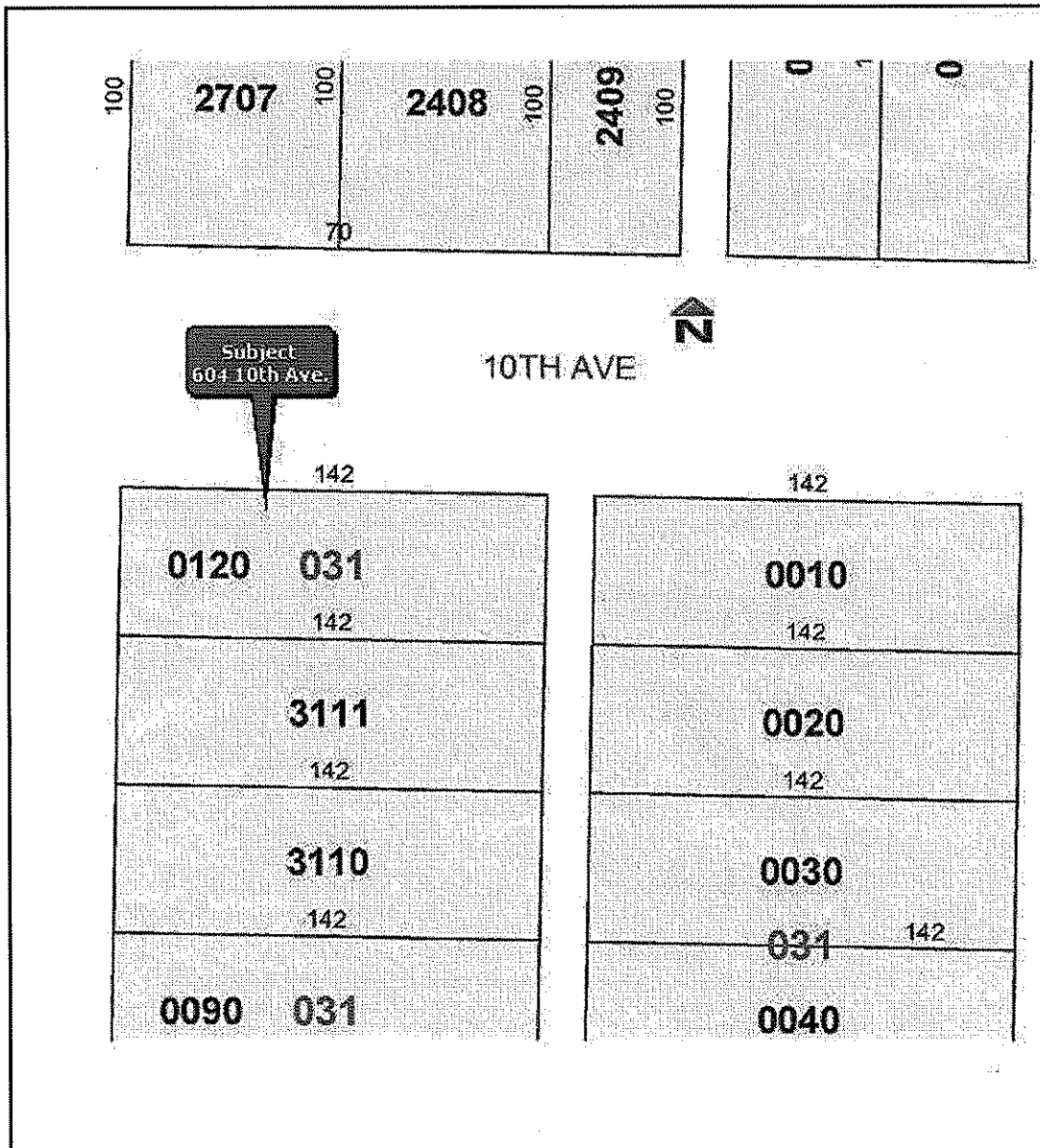
Prox. to Subject
Sales Price
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location
View
Site
Quality
Age

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Site Map**

ATTACHMENT 2

File No. RL55361 Page #13

Borrower/Client	N/A				
Property Address	604 10th Ave.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				



**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Building Sketch**

ATTACHMENT 2
File No. RL5536 Page #14

Borrower/Client	N/A		
Property Address	604 10th Ave.		
City	Lewiston	County	Nez Perce
State	ID	Zip Code	83501
Lender	Lewis-Clark State College		

Basement

Sketch by Apex IV™

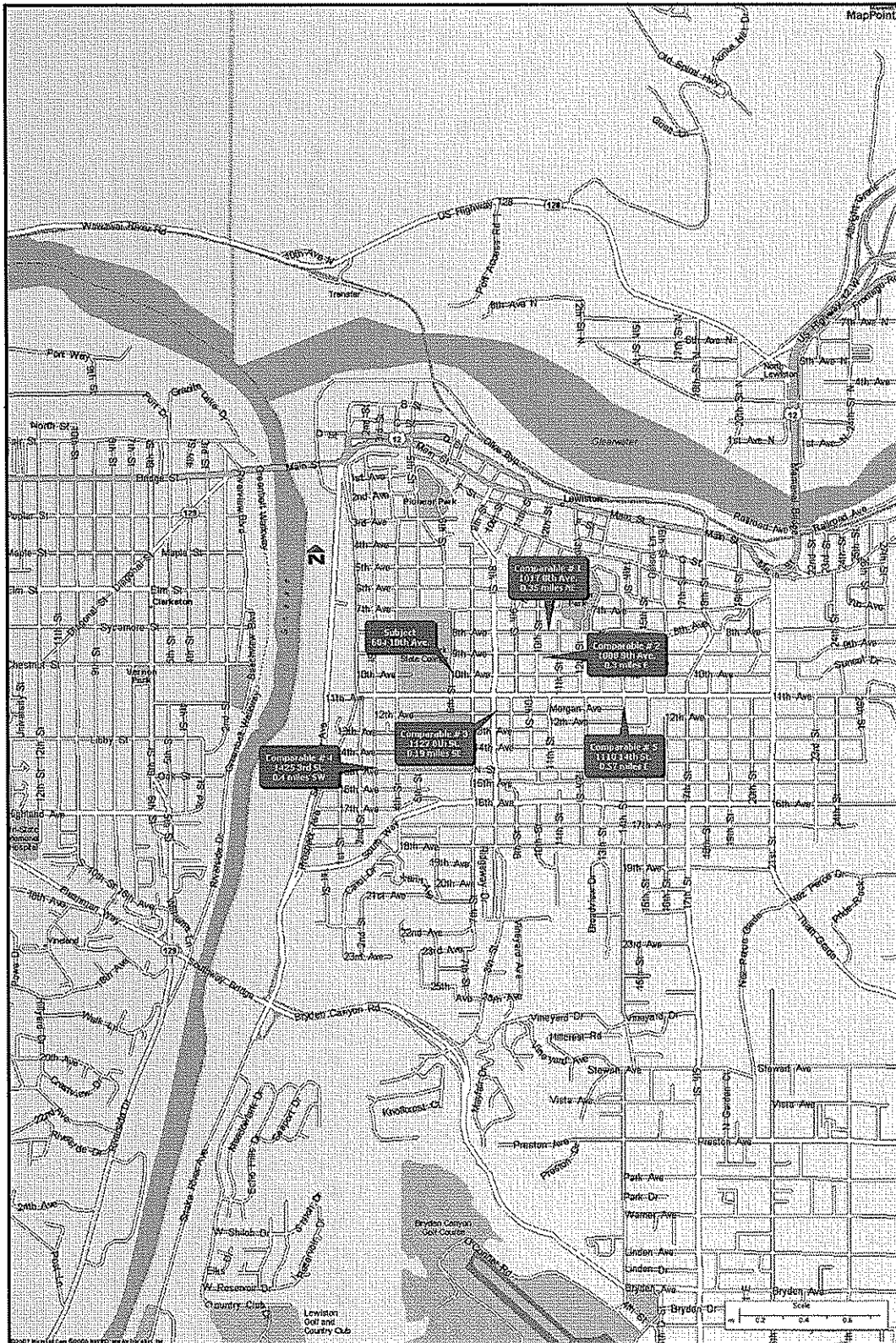
Comments:

AREA CALCULATIONS SUMMARY				LIVING AREA BREAKDOWN	
Code	Description	Size	Net Totals	Breakdown	Subtotals
GLA1	First Floor	1014.00	1014.00	First Floor	
BSMT	Basement	1014.00	1014.00	26.0 x 39.0	1014.00
P/P	Patio	420.00	420.00		
TOTAL LIVABLE (rounded)			1014	1 Calculation Total (rounded)	1014

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Location Map**

ATTACHMENT 2
File No. RL5536 Page #15

Borrower/Client	N/A		
Property Address	604 10th Ave.		
City	Lewiston	County	Nez Perce
Lender	Lewis-Clark State College	State ID	Zip Code 83501



STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
License


ATTACHMENT 2

File No. RI 5536 Page #16

Borrower/Client	N/A				
Property Address	604 10th Ave.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				

Bureau of Occupational Licenses
Department of Self Governing Agencies
The person named has met the requirements for licensure and is entitled
under the laws and rules of the State of Idaho to operate as a(n)
LICENSED RESIDENTIAL APPRAISER

WAYNE T. AGEE
1014 MAIN ST
600 E. MAIN ST.
LEWISTON ID 83501


Rayola Jacobsen
Chief, B.O.L.

LRA-1868
Number

12/30/2007
Expires

RE-21 RESIDENTIAL PURCHASE AND SALE AGREEMENT PAGE 1 of 7 JULY, 2007 EDITION



RE-21 REAL ESTATE PURCHASE AND SALE AGREEMENT

THIS IS A LEGALLY BINDING CONTRACT. READ THE ENTIRE DOCUMENT INCLUDING ANY ATTACHMENTS. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY AND/OR ACCOUNTANT BEFORE SIGNING.

ID# CJ081607ADATE 8-17-07

LISTING AGENCY _____ Office Phone # _____ Fax # _____

Listing Agent _____ E-Mail _____ Phone # _____

SELLING AGENCY RE/MAX Executives Office Phone # 743-2244 Fax # 743-2277Selling Agent Carolyn Jones E-Mail _____ Phone # 790-22521. BUYER: Idaho Board of Education, Lewis Clark State College (Hereinafter called

"BUYER") agrees to purchase, and the undersigned SELLER agrees to sell the following described real estate hereinafter referred to as "PREMISES"

COMMONLY KNOWN AS 604 10th Avenue City LewistonNezPerce County, ID. Zip 83501 legally described as: Lot 12, of the re-plat of Block 31 of ParkAddition to the City of Lewiston, according to the recorded plat thereof, records of NezPerce County, Id

OR Legal Description Attached as addendum # _____ (Addendum must accompany original offer.)

2. \$141,500.00 PURCHASE PRICE: One Hundred Forty-One Thousand Five Hundred and Zero/100 DOLLARS,
payable upon the following TERMS AND CONDITIONS (not including closing costs):

3. FINANCIAL TERMS: Note: A+C+D+E must add up to total purchase price.

\$1,000.00 (A). EARNEST MONEY: BUYER hereby deposits One Thousand and Zero/100 DOLLARS asEarnest Money evidenced by: ☐ cash ☒ personal check ☐ cashier's check ☐ note (due date): _____☐ Other _____ and a receipt is hereby acknowledged. Earnest Money to be depositedin trust account ☒ upon receipt, or ☐ upon acceptance by all parties and shall be held by: ☐ Listing Broker ☒ Selling Broker☐ Other _____ for the benefit of the parties hereto. The responsible Broker shall be Jan Marie McCoy(B). ALL CASH OFFER: ☐ NO ☒ YES If this is an all cash offer do not complete lines 32 through 57, fill blanks with
"0" (ZERO.) IF CASH OFFER, BUYER'S OBLIGATION TO CLOSE SHALL NOT BE SUBJECT TO ANY FINANCIAL CONTINGENCY.BUYER agrees to provide SELLER within 10 business days from the date of acceptance of this agreement by all parties, evidence of
sufficient funds and/or proceeds necessary to close transaction. Acceptable documentation includes, but is not limited to, a copy of a recent bank or
financial statement or contract(s) for the sale of BUYER'S current residence or other property to be sold.\$0.00 (C). NEW LOAN PROCEEDS: This Agreement is contingent upon BUYER obtaining the following financing:
☐ FIRST LOAN of \$ _____ not including mortgage insurance, through ☐ FHA, ☐ VA, ☐ CONVENTIONAL, ☐ HFA,
☐ RURAL DEVELOPMENT, ☐ OTHER _____ with interest not to exceed _____ % for a period of _____ year(s) at: ☐ Fixed Rate
☐ Other _____ BUYER shall pay no more than _____ point(s) plus origination fee if any. SELLER shall pay no more than _____ point(s).
Any reduction in points shall first accrue to the benefit of the ☐ BUYER ☐ SELLER ☐ Divided Equally ☐ N/A.☐ SECOND LOAN of \$ _____ with interest not to exceed _____ % for a period of _____ year(s) at: ☐ Fixed Rate
☐ Other _____ BUYER shall pay no more than _____ point(s) plus origination fee if any. SELLER shall pay no more than _____ point(s). Any
reduction in points shall first accrue to the benefit of the ☐ BUYER ☐ SELLER ☐ Divided Equally ☐ N/A.LOAN APPLICATION: BUYER ☐ has applied ☐ shall apply for such loan(s) within _____ business day(s) of SELLER'S acceptance. Within
business days of final acceptance of all parties, BUYER agrees to furnish SELLER with a written confirmation showing lender approval of
credit report, income verification, debt ratios in a manner acceptable to the SELLER(S) and subject only to satisfactory appraisal and final lender
underwriting. If such written confirmation is not received by SELLER(S) within the strict time allotted, SELLER(S) may at their option cancel this
agreement by notifying BUYER(S) in writing of such cancellation within _____ business day(s) after written confirmation was required. If SELLER does
not cancel within the strict time period specified as set forth herein, SELLER shall be deemed to have accepted such written confirmation of lender approval
and shall be deemed to have elected to proceed with the transaction. SELLER'S approval shall not be unreasonably withheld. If an appraisal is required
by lender, the property must appraise at not less than purchase price or BUYER'S Earnest Money may be returned at BUYER'S request. BUYER
may also apply for a loan with different conditions and costs and close transaction provided all other terms and conditions of this Agreement are
fulfilled, and the new loan does not increase the costs or requirements to the SELLER.FHA/VA: If applicable, it is expressly agreed that notwithstanding any other provisions of this contract, BUYER shall not be obligated to complete the
purchase of the property described herein or to incur any penalty or forfeiture of Earnest Money deposits or otherwise unless BUYER has been given in
accordance with HUD/FHA or VA requirements a written statement by the Federal Housing Commissioner, Veterans Administration or a Direct
Endorsement lender setting forth the appraised value of the property of not less than the sales price as stated in the contract. SELLER agrees to pay fees
required by FHA or VA.\$ (D). ADDITIONAL FINANCIAL TERMS:☐ Additional financial terms are specified under the heading "OTHER TERMS AND/OR CONDITIONS" (Section 4).☐ Additional financial terms are contained in a FINANCING ADDENDUM of same date, attached hereto, signed by both parties.

Line E below is the total of the Purchase Price minus Lines A, C, and D. Only use numbers in these lines.

\$140,500.00 (E). APPROXIMATE FUNDS DUE FROM BUYERS AT CLOSING (Not including closing costs): Cash at closing
to be paid by BUYER at closing in GOOD FUNDS. Includes: cash, electronic transfer funds, certified check or cashier's check. NOTE: If any
of above loans being Assumed or taken "subject to", any net differences between the approximate balances and the actual balance of said loan(s)
shall be adjusted at closing of escrow in: ☐ Cash ☐ Other _____BUYER'S Initials [Signature] Date 8-17-07 SELLER'S Initials [Signature] Date 8-17-07This form is printed and distributed by the Idaho Association of REALTORS®, Inc. That form has been designed for and is provided only for use by real estate professionals who are members of the
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RE-21 RESIDENTIAL PURCHASE AND SALE AGREEMENT PAGE 1 of 7 JULY, 2007 EDITION

RE-21 RESIDENTIAL PURCHASE AND SALE AGREEMENT PAGE 2 of 7 JULY, 2007 EDITION

PROPERTY ADDRESS: 604 10th Avenue Lewiston ID#: CJ081607A

4. OTHER TERMS AND/OR CONDITIONS: This Agreement is made subject to the following special terms, considerations and/or contingencies which must be satisfied prior to closing.

Buyer's purchase contingent to property appraising at not less than the purchase price, appraisal at buyer's expense.

and approval of the State Board of Education

5. ITEMS INCLUDED & EXCLUDED IN THIS SALE: All existing fixtures and fittings that are attached to the property are INCLUDED IN THE PURCHASE PRICE (unless excluded below), and shall be transferred free of liens. These include, but are not limited to, all seller-owned attached floor coverings, attached television antennae, satellite dish, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm doors, storm windows, window coverings, garage door opener(s) and transmitter(s), exterior trees, plants or shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating systems, all ranges, ovens, built-in dishwashers, fuel tanks and irrigation fixtures and equipment, all water systems, wells, springs, water, water rights, ditches and ditch rights, if any, that are appurtenant thereto that are now on or used in connection with the premises and shall be included in the sale unless otherwise provided herein. BUYER should satisfy himself/herself that the condition of the included items is acceptable. It is agreed that any item included in this section is of nominal value less than \$100.

(A). ADDITIONAL ITEMS SPECIFICALLY INCLUDED IN THIS SALE: None

(B). ITEMS SPECIFICALLY EXCLUDED IN THIS SALE: Seller owned personal items.

6. TITLE CONVEYANCE: Title of SELLER is to be conveyed by warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens, encumbrances or defects to be discharged by SELLER may be paid out of purchase money at date of closing. No liens, encumbrances or defects which are to be discharged or assumed by BUYER or to which title is taken subject to, exist unless otherwise specified in this Agreement.

7. TITLE INSURANCE: There may be types of title insurance coverages available other than those listed below and parties to this agreement are advised to talk to a title company about any other coverages available that will give the BUYER additional coverage.

(A). PRELIMINARY TITLE COMMITMENT: Prior to closing the transaction, ☒ SELLER or ☐ BUYER shall furnish to BUYER a preliminary commitment of a title insurance policy showing the condition of the title to said premises. BUYER shall have 5 business day(s) from receipt of the preliminary commitment or not fewer than twenty-four (24) hours prior to closing, within which to object in writing to the condition of the title as set forth in the preliminary commitment. If BUYER does not so object, BUYER shall be deemed to have accepted the conditions of the title. It is agreed that if the title of said premises is not marketable, or cannot be made so within 5 business day(s) after notice containing a written statement of defect is delivered to SELLER, BUYER'S Earnest Money deposit will be returned to BUYER and SELLER shall pay for the cost of title insurance cancellation fee, escrow and legal fees, if any.

(B). TITLE COMPANY: The parties agree that Land Title of Nezperce County Title Company located at 1230 Idaho Street, Lewiston, ID shall provide the title policy and preliminary report of commitment.

(C). STANDARD COVERAGE OWNER'S POLICY: SELLER shall within a reasonable time after closing furnish to BUYER a title insurance policy in the amount of the purchase price of the premises showing marketable and insurable title subject to the liens, encumbrances and defects elsewhere set out in this Agreement to be discharged or assumed by BUYER unless otherwise provided herein. The risk assumed by the title company in the standard coverage policy is limited to matters of public record. BUYER shall receive a LT/A/ALTA Owner's Policy of Title Insurance. A title company, at BUYER's request, can provide information about the availability, desirability, coverage and cost of various title insurance coverages and endorsements. If BUYER desires title coverage other than that required by this paragraph, BUYER shall instruct Closing Agency in writing and pay any increase in cost unless otherwise provided herein.

(D). EXTENDED COVERAGE LENDER'S POLICY (Mortgage policy): The lender may require that BUYER (Borrower) furnish an Extended Coverage Lender's Policy. This extended coverage lender's policy considers matters of public record and additionally insures against certain matters not shown in the public record. This extended coverage lender's policy is solely for the benefit of the lender and only protects the lender.

8. MECHANIC'S LIENS - GENERAL CONTRACTOR DISCLOSURE STATEMENT NOTICE: BUYER and SELLER are hereby notified that, subject to Idaho Code §45-525 et seq., a "General Contractor" must provide a Disclosure Statement to a homeowner that describes certain rights afforded to the homeowner (e.g., lien waivers, general liability insurance, extended policies of title insurance, surety bonds, and sub-contractor information). The Disclosure Statement must be given to a homeowner prior to the General Contractor entering into any contract in an amount exceeding \$2,000 with a homeowner for construction, alteration, repair, or other improvements to real property, or with a residential real property purchaser for the purchase and sale of newly constructed property. Such disclosure is the responsibility of the General Contractor and it is not the duty of your agent to obtain this information on your behalf. You are advised to consult with any General Contractor subject to Idaho Code §45-525 et seq. regarding the General Contractor Disclosure Statement.

BUYER'S Initials [Signature] Date 8-17-07 SELLER'S Initials [Signature] Date 8-17-07

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RE-11 ADDENDUM # 1 (1,2,3, etc.)



Date: October 12, 2007

THIS IS A LEGALLY BINDING CONTRACT. READ THE ENTIRE DOCUMENT INCLUDING ANY ATTACHMENTS. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY AND/OR ACCOUNTANT BEFORE SIGNING.

This is an **ADDENDUM** to the ☒ Purchase and Sale Agreement ☐ Other _____
("Addendum" means that the information below is added material for the agreement (such as lists or descriptions) and/or means the form is being used to change, correct or revise the agreement (such as modification, addition or deletion of a term)).

AGREEMENT DATED: August 17, 2007 ID # CJ081607A

ADDRESS: 604 10th Avenue, Lewiston, ID

BUYER(S): Idaho Board of Education, Lewis Clark State College

SELLER(S): Therese Economen

The undersigned parties hereby agree as follows:

Buyer and seller agree that the closing date shall be extended to be on or before November 9, 2007.

Note: closing date slipped to accommodate State Board of Education review of proposal at the Nov 2, 2007 State Board meeting and to accommodate seller's schedule. CSH

To the extent the terms of this ADDENDUM modify or conflict with any provisions of the Purchase and Sale Agreement including all prior Addendums or Counter Offers, these terms shall control. **All other terms of the Purchase and Sale Agreement including all prior Addendums or Counter Offers not modified by this ADDENDUM shall remain the same.** Upon its execution by both parties, this agreement is made an integral part of the aforementioned Agreement.

BUYER: Chet Herbst

Date: 10-16-07

BUYER: _____

Date: _____

SELLER: _____

Date: _____

SELLER: _____

Date: _____

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**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES**

SECTION: V. FINANCIAL AFFAIRS

I. Construction Projects

April 2002

I. Real and Personal Property and Services

2. Acquisition of Real Property

- a. Any interest in real property acquired for the University of Idaho must be taken in the name of the Board of Regents of the University of Idaho.
- b. Any interest in real property acquired for any other institution, school or agency under the governance of the Board must be taken in the name of the state of Idaho by and through the State Board of Education.
- c. This does not preclude a foundation or other legal entity separate and apart from an institution, school or agency under Board governance from taking title to real property in the name of the foundation or other organization for the present or future benefit of the institution, school or agency. (See Section V.E.)
- d. Acquisition of an option, lease, or any other present or future interest in real property by or on behalf of an institution, school or agency requires prior Board approval if the term of the lease exceeds five (5) years or if the cost exceeds two hundred fifty thousand dollars (\$250,000) annually.
- e. Appraisal.
An independent appraiser must be hired to give an opinion of fair market value before an institution, school or agency acquires fee simple title to real property.
- f. Method of sale - exchange of property.
The Board will provide for the manner of selling real property under its control, giving due consideration to Section 33-601(4), applied to the Board through Section 33- 2211(5), and to Chapter 3, Title 58, Idaho Code. The Board may exchange real property under the terms, conditions, and procedures deemed appropriate by the Board.
- g. Execution.
All easements, deeds, and leases excluding easements, deeds, and leases delegated authority granted to the institutions, school and agencies must be executed and acknowledged by the president of the Board or another officer designated by the Board and attested to and sealed by the secretary of the Board as being consistent with Board action.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

**INSTITUTION / AGENCY AGENDA
LEWIS-CLARK STATE COLLEGE**

SUBJECT

Lewis-Clark State College Property Acquisition

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.I.2.

BACKGROUND

Lewis-Clark State College has an opportunity to purchase the property at 906 and 908 7th Street, Lewiston, Idaho, owned by Roger Peterson. There is one 4-plex of rental units (each with 4 rooms) and one 3-room accessory unit on the property at the two addresses. The property is strategically located immediately outside the fence of one of the College's main parking lots, directly across from Harris Field (baseball complex).

DISCUSSION

The property in question lies in the heart of the College's planned growth/impact area. The rental units are in good condition and have been well-maintained. No major repairs or construction needs are foreseen prior to adding the property to LCSC's existing inventory of off-campus rental units. Proposed closing date is November 16, 2007.

IMPACT

An offer to purchase the property for \$248,000 (same as the appraised value—see Attachment 2) has been made, contingent upon State Board approval of the purchase. If the owner does not accept the terms of this offer LCSC will have to further evaluate their options, and will return to the Board for approval at that time. Terms for the purchase are \$1,000 earnest money (now on deposit), \$59,000 in cash at closing, and the remaining \$188,000 paid over 12 years at 7% interest per annum (\$23,670 annual payments)—LCSC has the option to pay out the remaining principal and accrued interest. The source for up-front funding will be institutional reserves, and estimated rental revenues for the five units on the property should offset the College's expenses until such time that the land can be incorporated into additional parking or other future building projects.

ATTACHMENTS

Attachment 1 – Overhead Photo of Property	Page 3
Attachment 2 – Property Appraisal Report	Page 4
Attachment 3 – Earnest Money Agreement	Page 24
Attachment 4 – Terms and Amortization Schedule	Page 33

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

BOARD ACTION

A motion to approve the request by Lewis-Clark State College to purchase the above-described property for approximately \$248,000, and to authorize the Vice President for Administrative Services to execute all documents relating to this transaction.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

1 inch equals 100 feet



Digitized by the City of Lewiston
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This drawing is only a visual aid. Information, such as
property or lot lines and utility locations shown, are
provided for general reference only and are not to be used for
general knowledge and no guarantee of accuracy is
made. The City of Lewiston does not warrant the
accuracy of the information shown. All errors and
omissions should be noted by the user.

INVOICE

INVOICE NUMBER

RL5521

DATE

Fielded 06/21/2007

REFERENCE

Internal Order #: RL5521

Lender Case #:

Client File #:

Main File # on form: RL5521

Other File # on form: RL5521

Federal Tax ID:

Employer ID:

FROM:

Wayne T. Agee
Western Appraisal
1014 Main St.
Lewiston, ID 83501

Telephone Number: (208) 746-9891

Fax Number: (208) 746-9895

TO:

Scott Brown
Lewis-Clark State College
500 8th Ave.
Lewiston, ID 83501

Telephone Number: 208-792-2240

Fax Number: 208-792-2077

Alternate Number:

E-Mail:

DESCRIPTION

Lender: Lewis-Clark State College

Client: Lewis-Clark State College

Purchaser/Borrower: N/A

Property Address: 906 & 908 7th St.

City: Lewiston

County: Nez Perce

State: ID

Zip: 83501

Legal Description: Lewiston: Park Addition, S70' of Lot 1, Block 24 & S70' Lot 2, Block 24

FEES

AMOUNT

Form 1075, Small Residential Income Property

800.00

SUBTOTAL

800.00

PAYMENTS

AMOUNT

Check #: **Date:** **Description:**

Check #: **Date:** **Description:**

Check #: **Date:** **Description:**

SUBTOTAL

TOTAL DUE

\$ 800.00

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Small Residential Income Property Appraisal Report

File No. RL5521 Page #1

ATTACHMENT 2

RL5521
File # RL5521

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.																					
Property Address		906 & 908 7th St.			City		Lewiston		State ID Zip Code	83501											
Borrower		N/A			Owner of Public Record		McRoberts % Roger Peterson			County	Nez Perce										
Legal Description										Lewiston: Park Addition, S70' of Lot 1, Block 24 & S70' Lot 2, Block 24											
Assessor's Parcel #		RPL1120024002CA			Tax Year		2006		R.E. Taxes \$		2,949.28										
Neighborhood Name		Lewiston			Map Reference		35-A		Census Tract		480223-9904.00										
SUBJECT	Occupant		<input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant <input type="checkbox"/> Vacant		Special Assessments \$		N/A		<input type="checkbox"/> PUD	HOA \$	N/A										
	Property Rights Appraised		<input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other (describe)																		
	Assignment Type		<input type="checkbox"/> Purchase Transaction <input type="checkbox"/> Refinance Transaction <input checked="" type="checkbox"/> Other (describe)		Private Appraisal for possible purchase by Client.																
	Lender/Client		Lewis-Clark State College		Address		500 8th Ave., Lewiston, ID 83501														
	Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																				
CONTRACT	Report data source(s) used, offering price(s), and date(s). MLS. Discussion with Owner and Client to determine market value for possible purchase. The subject property has not been listed with any local Real Estate Agency or in any local periodical.																				
	I <input type="checkbox"/> did <input checked="" type="checkbox"/> did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed. N/A																				
	Contract Price \$		N/A		Date of Contract		N/A		Is the property seller the owner of public record? <input type="checkbox"/> Yes <input type="checkbox"/> No		Data Source(s)										
	Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower? <input type="checkbox"/> Yes <input type="checkbox"/> No																				
	If Yes, report the total dollar amount and describe the items to be paid.																				
Note: Race and the racial composition of the neighborhood are not appraisal factors.																					
NEIGHBORHOOD	Neighborhood Characteristics				2-4 Unit Housing Trends				2-4 Unit Housing		Present Land Use %										
	Location		<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Rural		Property Values		<input checked="" type="checkbox"/> Increasing <input type="checkbox"/> Stable <input type="checkbox"/> Declining		PRICE	AGE	One-Unit	75 %									
	Built-Up		<input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%		Demand/Supply		<input checked="" type="checkbox"/> Shortage <input type="checkbox"/> In Balance <input type="checkbox"/> Over Supply		\$ (000)	(yrs)	2-4 Unit	7 %									
	Growth		<input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow		Marketing Time		<input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths		60	Low	1	Multi-Family	5 %								
	Neighborhood Boundaries				The subject neighborhood is bounded by the Clearwater River to the North,				400	High	120	Commercial	10 %								
	Snake River to the West, 30th St. to the East and 21st Ave. to the South.						140	Pred.	40		Other	3 %									
	Neighborhood Description										The subject is located in a primarily single family residential neighborhood with commercial properties located on the arterial streets. Employment, schools and retail shopping are a short commute from the subject property. Single family residential properties in the neighborhood vary in size, style, age and value. Sites vary in size from 3,500 sq. ft. to 12,000 sq. ft.										
	Market Conditions (including support for the above conclusions)										Sales have slowed slightly over the past few months after two years of appreciation in the market. Current market times average less than 95 days and sale prices are currently about 100% of list. Few concessions are necessary for sales, however, some sellers are offering to assist with closing costs. New construction continues at a decreased rate.										
	Dimensions 100' x 70'										Area		7,000 Sq.Ft.		Shape	Rectangular		View	Average		
	Specific Zoning Classification R-3										Zoning Description Medium Density Residential (7,500 sq. ft. minimum)										
SITE	Zoning Compliance <input type="checkbox"/> Legal <input checked="" type="checkbox"/> Legal Nonconforming (Grandfathered Use) <input type="checkbox"/> No Zoning <input type="checkbox"/> Illegal (describe)																				
	Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe																				
	Utilities		Public		Other (describe)		Public		Other (describe)		Off-site Improvements - Type		Public		Private						
	Electricity		<input checked="" type="checkbox"/>		<input type="checkbox"/>		Water		<input checked="" type="checkbox"/>		<input type="checkbox"/>		Street		Asphalt		<input checked="" type="checkbox"/>		<input type="checkbox"/>		
	Gas		<input checked="" type="checkbox"/>		<input type="checkbox"/>		Sanitary Sewer		<input checked="" type="checkbox"/>		<input type="checkbox"/>		Alley		Gravel		<input checked="" type="checkbox"/>		<input type="checkbox"/>		
FEMA Special Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No										FEMA Flood Zone		C		FEMA Map #		1601040003B		FEMA Map Date		1/20/1982	
Are the utilities and/or off-site improvements typical for the market area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe																					
Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe																					
IMPROVEMENTS	General Description		Foundation		Exterior Description		materials/condition		Interior		materials/condition										
	Units <input type="checkbox"/> Two <input type="checkbox"/> Three <input checked="" type="checkbox"/> Four		<input type="checkbox"/> Concrete Slab <input type="checkbox"/> Crawl Space		Foundation Walls		Concrete/Av		Floors		Crpt,Vnyl/Av										
	<input checked="" type="checkbox"/> Accessory Unit (describe below)		<input checked="" type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement		Exterior Walls		Brick&Stucco/Av		Walls		Dywl,AcTile/Av										
	# of Stories 1		# of bldgs. 2		Basement Area		1,568 sq.ft.		Roof Surface		Comp.Shingle/Av+										
	Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit		Basement Finish		90 %		Gutters & Downspouts		Metal/Av+		Trim/Finish		Wd,Pnt/Av								
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.		<input checked="" type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump		Window Type		Wood/Av		Bath Wainscot		Vinyl/Av										
	Design (Style) 1 Story/Bsmt		Evidence of <input type="checkbox"/> Infestation		Storm Sash/Insulated		Mix/Av						Car Storage								
	Year Built 1952 & 1944		<input type="checkbox"/> Dampness <input type="checkbox"/> Settlement		Screens		Partial/Av		<input type="checkbox"/> None												
	Effective Age (Yrs) 12-15		Heating/Cooling		Amenities				<input type="checkbox"/> Driveway		# of Cars										
	Attic <input type="checkbox"/> None		<input checked="" type="checkbox"/> FWA <input type="checkbox"/> HWBB <input type="checkbox"/> Radiant		Fireplace(s) #		<input type="checkbox"/> Woodstove(s) #		Driveway Surface												
	<input type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs		<input checked="" type="checkbox"/> Other Floor		Fuel Water/Gas		<input checked="" type="checkbox"/> Patio/Deck		<input checked="" type="checkbox"/> Fence		<input type="checkbox"/> Garage		# of Cars								
	<input type="checkbox"/> Floor <input checked="" type="checkbox"/> Scuttle		Cooling <input type="checkbox"/> Central Air Conditioning		<input type="checkbox"/> Pool		<input checked="" type="checkbox"/> Porch		<input checked="" type="checkbox"/> Carport		# of Cars		4								
	<input type="checkbox"/> Finished <input type="checkbox"/> Heated		<input checked="" type="checkbox"/> Individual Wall <input checked="" type="checkbox"/> Other Wndw		<input type="checkbox"/> Other				<input type="checkbox"/> Att. <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Built-in												
	# of Appliances		Refrigerator 4		Range/Oven 4		Dishwasher		Disposal		Microwave		Washer/Dryer 4		Other (describe)						
	Unit # 1 contains:		4 Rooms		2 Bedrooms		1 Bath(s)		784		Square Feet of Gross Living Area										
Unit # 2 contains:		4 Rooms		1 Bedrooms		1 Bath(s)		784		Square Feet of Gross Living Area											
Unit # 3 contains:		4 Rooms		2 Bedrooms		1 Bath(s)		784		Square Feet of Gross Living Area											
Unit # 4 contains:		4 Rooms		1 Bedrooms		1 Bath(s)		784		Square Feet of Gross Living Area											
Additional features (special energy efficient items, etc.). Accessory unit # 5 contains: 3 Rooms 1 Bedroom 1 Bathroom with 528 Square Feet of Gross Living Area. Energy efficiency is typical of multi-family units of this style, age and condition in the market area.																					
Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). Upon observation the appraiser found the subject units to be of average quality construction and in average overall condition for their effective age. The subject roof and furnaces were recently updated 3 years ago. No repairs, alterations or inspections are required as conditions to this appraisal rep																					

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Small Residential Income Property Appraisal Report

File No. RL5521 Page #2

ATTACHMENT 2

RL5521

File # RL5521

IMPROVEMENTS	Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe.														
	Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe.														
COMPARABLE RENTAL DATA	Is the property subject to rent control? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe														
	The following properties represent the most current, similar, and proximate comparable rental properties to the subject property. This analysis is intended to support the opinion of the market rent for the subject property.														
	FEATURE		SUBJECT		COMPARABLE RENTAL # 1			COMPARABLE RENTAL # 2			COMPARABLE RENTAL # 3				
	Address 906 & 908 7th St. Lewiston, ID 83501		108 5th St. Lewiston, ID 83501		1022 Ripon Ave. Lewiston, ID 83501			3512 15th St. Lewiston, ID 83501							
	Proximity to Subject		0.65 miles NW			3.79 miles SE			4.06 miles SE						
	Current Monthly Rent		\$ 1,945			\$ 1,850			\$ 1,980						
	Rent/Gross Bldg. Area		\$ 0.62 sq.ft.			\$ 0.52 sq.ft.			\$ 0.61 sq.ft.						
	Rent Control		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
	Data Source(s)		CntyRecs, Owner			County Records, MLS			County Records, Property Mngt.						
	Date of Lease(s)		Year to Year			Year to Year			Year to Year						
	Location		Lewiston			Lewiston			Lewiston						
	Actual Age		A 55 & 63, E12-15			A 99, E 15-20			A 39, E 12-15						
	Condition		Average			Average			Average+						
	Gross Building Area		3,136			3,556			3,240						
	Unit Breakdown		Rm Count		Size Sq. Ft.		Monthly Rent		Rm Count		Size Sq. Ft.		Monthly Rent		
Tot			Br Ba	Tot	Br Ba			Tot	Br Ba						
Unit # 1		4	2 1	784	3 1 1	660	\$ 375	4 2 1	810	\$ 495	4 3 1	1,107	\$ 675		
Unit # 2		4	1 1	784	3 1 1	660	\$ 375	4 2 1	810	\$ 495	4 3 1	1,107	\$ 675		
Unit # 3		4	2 1	784	6 4 2	1,320	\$ 750	4 2 1	810	\$ 495	4 3 1	1,107	\$ 675		
Unit # 4		4	1 1	784	3 1 1	916	\$ 350	4 2 1	810	\$ 495	4 3 1	1,107	\$ 675		
Utilities Included		Water, Sewer, Trash			Water, Sewer, Trash			Water, Sewer, Trash			Water, Sewer, Trash				
Unit # 5		3,2,1 528 sq. ft.			None			None			None				
Other Amenities		Shed, Carport			Shed			Carports			Sheds, Shop/Garage				
Analysis of rental data and support for estimated market rents for the individual subject units reported below (including the adequacy of the comparables, rental concessions, etc.) Upon gathering information from several different property management companies in the market area the appraiser was unable to locate any other comparable rentals that would be more similar to the subject property. The current rents for the subject units are below the market information gathered from the comparable rentals for 2 bedroom 1 bath units and 1 bedroom 1 bathroom units. Therefore, the opinion of market rent is higher than the actual rents for the subject units.															
SUBJECT RENT SCHEDULE	Rent Schedule: The appraiser must reconcile the applicable indicated monthly market rents to provide an opinion of the market rent for each unit in the subject property.														
	Leases			Actual Rents				Opinion of Market Rent							
	Unit #	Lease Date		Per Unit		Total Rents	Per Unit		Total Rents						
		Begin Date	End Date	Unfurnished	Furnished		Unfurnished	Furnished							
	1	Year	Year	\$ 425	\$ 425	\$ 485	\$ 485	\$ 485							
	2	Year	Year	335	335	385	385	385							
	3	Year	Year	475	475	485	485	485							
	4	Year	Year	350	350	385	385	385							
	Comment on lease data Unit 5 is a Year to			Total Actual Monthly Rent		\$ 1,585	Total Gross Monthly Rent		\$ 1,740						
	Year Lease Rented for \$360 Unfurnished			Other Monthly Income (itemize)		\$ 360	Other Monthly Income (itemize)		\$ 375						
				Total Actual Monthly Income		\$ 1,945	Total Estimated Monthly Income		\$ 2,115						
	Utilities included in estimated rents <input type="checkbox"/> Electric <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> Sewer <input type="checkbox"/> Gas <input type="checkbox"/> Oil <input checked="" type="checkbox"/> Trash collection <input type="checkbox"/> Cable <input type="checkbox"/> Other														
	Comments on actual or estimated rents and other monthly income (including personal property) Upon analysis of the comparable rentals the appraiser has determined that the current rents for the subject units are below the opinion of market rent. The actual rents for the five units should be approximately \$485, \$385 and \$375 based upon the size of the subject units and their bedroom and bathroom counts. The accessory unit would have an opinion of market rent at \$375. No personal property was included in the opinion of market rents.														
	PRIOR SALE HISTORY	I <input checked="" type="checkbox"/> did <input type="checkbox"/> did not research the sale or transfer history of the subject property and comparable sales. If not, explain													
		My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.													
Data Source(s) County Records, MLS, Owner															
My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.															
Data Source(s) County Records, MLS, Owners															
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).															
ITEM		SUBJECT		COMPARABLE SALE # 1		COMPARABLE SALE # 2		COMPARABLE SALE # 3							
Date of Prior Sale/Transfer		None Found		None Found		None Found		None Found							
Price of Prior Sale/Transfer		N/A		N/A		N/A		N/A							
Data Source(s)		County Records, MLS		County Records, MLS		County Records, MLS		County Records, MLS							
Effective Date of Data Source(s)		06/21/2007		06/25/2007		06/25/2007		06/25/2007							
Analysis of prior sale or transfer history of the subject property and comparable sales The subject property has not transferred in the past 3 years. None of the comparable sales have transferred in 1 year prior to the sales dates given. None of the comparable sales are currently subject to a sale or listing agreement.															

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There are 1 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 150,000 to \$ 400,000		There are 6 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 150,000 to \$ 400,000	
FEATURE	SUBJECT	COMPARABLE SALE # 1	COMPARABLE SALE # 2
Address	906 & 908 7th St. Lewiston, ID 83501	1621 21st Ave. Lewiston, ID 83501	924 & 926 Preston Ave. Lewiston, ID 83501
Proximity to Subject		1.08 miles SE	2.5 miles SE
Sale Price	\$ N/A	\$ 215,000	\$ 281,500
Sale Price/Gross Bldg. Area	\$ sq.ft.	\$ 60.12 sq.ft.	\$ 89.99 sq.ft.
Gross Monthly Rent	\$ 2,115	\$ 1,850	\$ 2,255
Gross Rent Multiplier		116.22	124.83
Price per Unit	\$	\$ 53,750	\$ 56,300
Price per Room	\$	\$ 13,438	\$ 17,594
Price per Bedroom	\$	\$ 26,875	\$ 35,188
Rent Control	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Data Source(s)		County Records, MLS	County Records, MLS
Verification Source(s)		County Records, MLS	County Records, MLS
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION +(-) Adjustment	DESCRIPTION +(-) Adjustment
Sale or Financing Concessions		Conventional No Concession	FHA No Concession
Date of Sale/Time		08/29/06 - 118	02/22/07 - 161
Location	Lewiston	Lewiston	Lewiston
Leasehold/Fee Simple	Fee Simple	Fee Simple	Fee Simple
Site	7,000 Sq.Ft.	10,650 sq. ft.	6,780 sq. ft.
View	Average	Average	Average
Design (Style)	1 Story/Bsmt	1 Story/Bsmt	1 Story/Bsmt
Quality of Construction	Average	Average	Average
Actual Age	A 55 & 63, E12-15	A 32, E 10-12	A 67 & 74, E12-15
Condition	Average	Average	Average
Gross Building Area	3,136	3,576	3,128
Unit Breakdown	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths
Unit # 1	4 2 1	4 2 1	3 1 1
Unit # 2	4 1 1	4 2 1	3 1 1
Unit # 3	4 2 1	4 2 1	4 2 1
Unit # 4	4 1 1	4 2 1	3 1 1
Basement Description	1,568 Sq.Ft.	1,975 sq. ft.	1,500 sq. ft.
Basement Finished Rooms	90% Finished	Finished	Finished
Functional Utility	Average	Average	Average
Heating/Cooling	GFA,WtrRad/WI	GFA/CAC	EBB/CAC
Energy Efficient Items	Average	Average	Average
Parking On/Off Site	4-Crprt. Det.	O.S.P.	1-G Att.
Porch/Patio/Deck	Porch,Patio	Prch,Pats,Dck	Porch,Patio
Aux Heat	None	None	None
Other Amenities	Shed,Fence	Shed,Fence	Shed,Fence
ACCESSORY UNIT	3,2,1 528 sq. ft.	None	4,2,1 814 sq. ft.
Net Adjustment (Total)		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 27,950	<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -37,500
Adjusted Sale Price of Comparables		Net Adj. 13.0 % Gross Adj. 26.1 % \$ 242,950	Net Adj. 13.3 % Gross Adj. 16.5 % \$ 244,000
Adjusted Price Per Unit (Adj. SP Comp / # of Comp Units)		\$ 60,738	\$ 48,800
Adjusted Price Per Room (Adj. SP Comp / # of Comp Rooms)		\$ 15,184	\$ 15,250
Adjusted Price Per Bedrm (Adj. SP Comp / # of Comp Bedrooms)		\$ 30,369	\$ 30,500
Value per Unit	\$ 49,000 X 5 Units = \$	245,000	Value per GBA \$ 81 X 3,136 GBA = \$
Value per Rm.	\$ 14,500 X 19 Rooms = \$	275,500	Value per Bdrms. \$ 34,500 X 7 Bdrms. = \$
Summary of Sales Comparison Approach including reconciliation of the above indicators of value. There are very few sales of four plex rental units during any given time period within the Lewiston Market Area. There are even fewer four plex sales with accessory units. Comparable sale # 2 is the most recent sale of a four plex with an accessory unit in the market area with some similarity to the subject in size, age, condition, utility and function. Therefore, comparable # 2 was given the most consideration in the indicated value by the Sales Comparison Approach. FOR FURTHER COMMENTS ON THE ADJUSTMENTS MADE IN THE SALES COMPARISON APPROACH SEE THE COMMENTS SECTION ON PAGE # 4.			
Indicated Value by Sales Comparison Approach \$ 243,500			
Total gross monthly rent \$ 2,115 X gross rent multiplier (GRM) 120 = \$ 253,800 Indicated value by the Income Approach			
Comments on income approach including reconciliation of the GRM The Gross Rent Multiplier was taken from the sales of comparable's #1 and #2 with adjustment for the market data collected.			
Indicated Value by: Sales Comparison Approach \$ 243,500 Income Approach \$ 253,800 Cost Approach (if developed) \$ N/A			
The Sales Comparison Approach is typically the most reliable indicator of value as it is a depiction of what buyers are currently paying in the market area. However, the Income Approach is also a good indicator of value when appraising multiple family dwellings as they are income producing properties. Therefore, the Sales Comparison Approach and Income Approach were given equal weighting in the final opinion of value given below.			
The Cost Approach was not given any weighting in the final opinion of value as described on page # 4.			
This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or <input type="checkbox"/> subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair:			
Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is \$ 248,000 , as of June 21, 2007 , which is the date of inspection and the effective date of this appraisal.			

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HIGHEST AND BEST USE: The current residential use of the subject property is legal, physically possible, financially feasible and appropriately supported. It is the appraiser's opinion that the "highest and best use" of the subject property is residential.

MARKET DATA: The comparable sales used in the Sales Comparison Approach for the subject property were the most recent in the subject market area with some similarity to the subject property. Following is a general discussion of the adjustments made in the Sales Comparison Approach. Adjustments are based on the appraiser's analysis of recent residential sales in the subject market area.

COMPARABLE 1: The comparable's larger site was adjusted based upon recent residential site sales in the market area. Gross building area was adjusted at \$16 per sq. ft. and rounded to the nearest \$50. Units 2 and 4 have more marketable bedroom counts. No adjustment is necessary for basement areas as the basement areas are included in the gross building area adjustment. The comparable property does not have any additional covered storage and work space provided by a carport. The comparable property is a four plex with NO accessory unit. Based upon recent sales of residential properties with accessory units, the appraiser determined that the subject's accessory unit would have a market value contribution of approximately \$35,000.

COMPARABLE 2: Units 2 and 4 of the comparable four plex have more marketable bedroom counts. The comparable's 1 car garage is smaller and less functional than the subject's 4 car carport. The comparable's accessory unit is a small single family residence that is larger, is located on an individual lot and parcel, in better condition and more functional than the subject accessory unit. Therefore, based upon a market analysis of the accessory unit of the subject and comparable property the appraiser determined that the comparable's accessory unit would have a market value of approximately \$75,000 and an adjustment was necessary.

COMPARABLE 3: Gross building area was adjusted as before. Units 1 and 4 have less marketable bedroom counts. Garage/Carport was adjusted as before. The comparable property does not have any additional exterior storage provided by a shed. Accessory unit was adjusted as before.

COMPARABLE 4: The comparable property is older and shows more wear and tear associated with age. Gross building area was adjusted as before. Bedroom counts were adjusted as before. Garage/Carport was adjusted as before. Accessory unit was adjusted as before.

ADDITIONAL COMMENTS

COST APPROACH TO VALUE (not required by Fannie Mae)

Provide adequate information for the lender/client to replicate the below cost figures and calculations.

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) The Cost Approach is most applicable for new or fairly new construction. Because of the accessory unit to the rear of the property and the age of the subject improvements it is difficult to ascertain an appropriate level of depreciation. Therefore, the Cost Approach is considered unreliable and was not given any further consideration. Recent comparable site sales indicate that the subject site would have an estimated market value of approximately \$30,000.

COST APPROACH

ESTIMATED <input type="checkbox"/> REPRODUCTION OR <input type="checkbox"/> REPLACEMENT COST NEW	OPINION OF SITE VALUE	= \$
Source of cost data N/A	DWELLING Sq.Ft. @ \$	= \$
Quality rating from cost service N/A Effective date of cost data N/A	Sq.Ft. @ \$	= \$
Comments on Cost Approach (gross living area calculations, depreciation, etc.)	= \$
N/A	Garage/Carport Sq.Ft. @ \$	= \$
	Total Estimate of Cost-New	= \$
	Less Physical Functional External	
	Depreciation	= \$()
	Depreciated Cost of Improvements	= \$
	"As-is" Value of Site Improvements	= \$
Estimated Remaining Economic Life (HUD and VA only) N/A Years	INDICATED VALUE BY COST APPROACH	= \$

PROJECT INFORMATION FOR PUDs (if applicable)

Is the developer/builder in control of the Homeowners' Association (HOA)? ☐ Yes ☐ No Unit type(s) ☐ Detached ☐ Attached

Provide the following information for PUDs only if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.

Legal Name of Project

Total number of phases Total number of units Total number of units sold

Total number of units rented Total number of units for sale Data source(s)

Was the project created by the conversion of existing building(s) into a PUD? ☐ Yes ☐ No If Yes, date of conversion.

Does the project contain any multi-dwelling units? ☐ Yes ☐ No Data Source

Are the units, common elements, and recreation facilities complete? ☐ Yes ☐ No If No, describe the status of completion.

PUD INFORMATION

Are the common elements leased to or by the Homeowners' Association? ☐ Yes ☐ No If Yes, describe the rental terms and options.

Describe common elements and recreational facilities.

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This report form is designed to report an appraisal of a two- to four-unit property, including a two- to four-unit property in a planned unit development (PUD). A two- to four-unit property located in either a condominium or cooperative project requires the appraiser to inspect the project and complete the project information section of the Individual Condominium Unit Appraisal Report or the Individual Cooperative Interest Appraisal Report and attach it as an addendum to this report.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements, including each of the units. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

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APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property, including all units. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison and income approaches to value. I have adequate market data to develop reliable sales comparison and income approaches to value for this appraisal assignment. I further certify that I considered the cost approach to value but did not develop it, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.

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21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.

2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.

3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.

4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.

5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature Wayne T. Agee
Name Wayne T. Agee
Company Name Western Appraisals
Company Address 1014 Main St., Lewiston, ID 83501

Telephone Number (208) 746-9891
Email Address wayne@westernapp.com
Date of Signature and Report June 25, 2007
Effective Date of Appraisal June 21, 2007
State Certification # _____
or State License # LRA-1868
or Other (describe) _____ State # _____
State ID _____
Expiration Date of Certification or License 12/30/2007

ADDRESS OF PROPERTY APPRAISED

906 & 908 7th St.
Lewiston, ID 83501

APPRAISED VALUE OF SUBJECT PROPERTY \$ 248,000

LENDER/CLIENT

Name Scott Brown
Company Name Lewis-Clark State College
Company Address 500 8th Ave., Lewiston, ID 83501
Email Address _____

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____
Name _____
Company Name _____
Company Address _____
Telephone Number _____
Email Address _____
Date of Signature _____
State Certification # _____
or State License # _____
State _____
Expiration Date of Certification or License _____

SUBJECT PROPERTY

☐ Did not inspect subject property
☐ Did inspect exterior of subject property from street
Date of Inspection _____
☐ Did inspect interior and exterior of subject property
Date of Inspection _____

COMPARABLE SALES

☐ Did not inspect exterior of comparable sales from street
☐ Did inspect exterior of comparable sales from street
Date of Inspection _____

Operating Income Statement

NOVEMBER 2, 2007

ATTACHMENT 2

One- to Four-Family Investment Property and Two- to Four-Family Owner-Occupied Property

Property Address

Street

Lewiston
CityID
State83501
Zip Code

General Instructions: This form is to be prepared jointly by the loan applicant, the appraiser, and the lender's underwriter. The applicant must complete the following schedule indicating each unit's rental status, lease expiration date, current rent, market rent, and the responsibility for utility expenses. Rental figures must be based on the rent for an "unfurnished" unit.

	Currently Rented	Expiration Date	Current Rent Per Month	Market Rent Per Month	Utility Expense	Paid By Owner	Paid By Tenant
Unit No. 1	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Year	\$ 425	\$ 485	Electricity	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Unit No. 2	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Year	\$ 335	\$ 385	Gas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Unit No. 3	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Year	\$ 475	\$ 485	Fuel Oil	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Unit No. 4	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Year	\$ 350	\$ 385	Fuel (Other)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Total			\$ 1,585	\$ 1,740	Water/Sewer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
					Trash Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The applicant should complete all of the income and expense projections and for existing properties provide actual year-end operating statements for the past two years (for new properties the applicant's projected income and expenses must be provided). This Operating Income Statement and any previous operating statements the applicant provides must then be sent to the appraiser for review, comment, and/or adjustments next to the applicant's figures (e.g. Applicant/Appraiser 288/300). If the appraiser is retained to complete the form instead of the applicant, the lender must provide to the appraiser the aforementioned operating statements, mortgage insurance premium, HOA dues, leasehold payments, subordinate financing, and/or any other relevant information as to the income and expenses of the subject property received from the applicant to substantiate the projections. The underwriter should carefully review the applicant's/appraiser's projections and the appraiser's comments concerning those projections. The underwriter should make any final adjustments that are necessary to more accurately reflect any income or expense items that appear unreasonable for the market. (Real estate taxes and insurance on these types of properties are included in PITI and not calculated as an annual expense item) Income should be based on the current rents, but should not exceed market rents. When there are no current rents because the property is proposed, new, or currently vacant, market rents should be used.

Annual Income and Expense Projection for Next 12 months

Income (Do not include income for owner-occupied units)

	By Applicant/Appraiser	Adjustments by Lender's Underwriter
Gross Annual Rental (from unit(s) to be rented) (Current)	\$ 19,020	\$
Other Income (include sources) Accessory Unit # 5. Expiration = Year	+ 360	+
Total	\$ 19,380	\$
Less Vacancy/Rent Loss	- 388 (2 %)	- (%)
Effective Gross Income	\$ 18,992	\$

Expenses (Do not include expenses for owner-occupied units)

Electricity		
Gas		
Fuel Oil		
Fuel	(Type -)	
Water/Sewer estimate per month	165	
Trash Removal estimate per month	48	
Pest Control		
Other Taxes or Licenses		
Casual Labor		
This includes the costs for public area cleaning, snow removal, etc., even though the applicant may not elect to contract for such services.		
Interior Paint/Decorating		
This includes the costs of contract labor and materials that are required to maintain the interiors of the living unit.		
General Repairs/Maintenance		
This includes the costs of contract labor and materials that are required to maintain the public corridors, stairways, roofs, mechanical systems, grounds, etc.		
Management Expenses		
These are the customer expenses that a professional management company would charge to manage the property.		
Supplies		
This includes the costs of items like light bulbs, janitorial supplies, etc.		
Total Replacement Reserves - See Schedule on Pg. 2	2,519	
Miscellaneous		
.....		
.....		
.....		
.....		
.....		
.....		
Total Operating Expenses	\$ 2,732	\$

Freddie Mac
Form 998 Aug 88This Form Must Be Reproduced By Seller
Page 1 of 2Fannie Mae
Form 216 Aug 88

Replacement Reserve Schedule

NOVEMBER 2, 2007

ATTACHMENT 2

Adequate replacement reserves must be calculated regardless of whether actual reserves are provided for on the owner's operating statements or are customary in the local market. This represents the total average yearly reserves. Generally, all equipment and components that have a remaining life of more than one year - such as refrigerators, stoves, clothes washers/dryers, trash compactors, furnaces, roofs, and carpeting, etc. - should be expensed on a replacement cost basis.

Equipment	Replacement Cost	Remaining Life	By Applicant/ Appraiser	Lender Adjustments
Stoves/Ranges	@ \$ 565 ea. +	10 Yrs. x 5	Units = \$ 283	\$
Refrigerators	@ \$ 425 ea. +	10 Yrs. x 5	Units = \$ 213	\$
Dishwashers	@ \$ ea. +	Yrs. x	Units = \$	\$
A/C Units	@ \$ 250 ea. +	15 Yrs. x 5	Units = \$ 83	\$
C. Washer/Dryers	@ \$ 875 ea. +	10 Yrs. x 5	Units = \$ 438	\$
HW Heaters	@ \$ 300 ea. +	20 Yrs. x 5	Units = \$ 75	\$
Furnace(s)	@ \$ 5,362 ea. +	25 Yrs. x 5	Units = \$ 1,072	\$
(Other)	@ \$ ea. +	Yrs. x	Units = \$	\$
Roof	@ \$ 9,350 +	27 Yrs. x One Bldg. =	\$ 346	\$
Carpeting (Wall to Wall)				
		Remaining Life		
(Units) 406	Total Sq. Yds. @ \$.35	Per Sq. Yd. + 15 Yrs. =	\$ 9	\$
(Public Areas)	Total Sq. Yds. @ \$	Per Sq. Yd. + Yrs. =	\$	\$
Total Replacement Reserves. (Enter on Pg. 1)			\$ 2,519	\$

Operating Income Reconciliation

\$ 18,992	-	\$ 2,732	=	\$ 16,260	+ 12 =	\$ 1,355
Effective Gross Income		Total Operating Expenses		Operating Income		Monthly Operating Income
\$ 1,355	-	\$	=	\$		
Monthly Operating Income		Monthly Housing Expense		Net Cash Flow		

(Note: Monthly Housing Expense includes principal and interest on the mortgage, hazard insurance premiums, real estate taxes, mortgage insurance premiums, HOA dues, leasehold payments, and subordinate financing payments.)

Underwriter's instructions for 2-4 Family Owner-Occupied Properties

- If Monthly Operating Income is a positive number, enter as "Net Rental Income" in the "Gross Monthly Income" section of Freddie Mac Form 65/Fannie Mae Form 1003. If Monthly Operating Income is a negative number, it must be included as a liability for qualification purposes.
- The borrower's monthly housing expense-to-income ratio must be calculated by comparing the total Monthly Housing Expense for the **subject property** to the borrower's stable monthly income.

Underwriter's instructions for 1-4 Family Investment Properties

- If Net Cash Flow is a positive number, enter as "Net Rental Income" in the "Gross Monthly Income" section of Freddie Mac Form 65/Fannie Mae Form 1003. If Net Cash Flow is a negative number, it must be included as a liability for qualification purposes.
- The borrower's monthly housing expense-to-income ratio must be calculated by comparing the total monthly housing expense for the borrower's **primary residence** to the borrower's stable monthly income.

Appraiser's Comments (Including sources for data and rationale for the projections)

Cost data was taken from Marshall and Swift Valuation Services with adjustment for local data collected by the appraiser. The Effective Gross Income is based upon the market rent analysis given in the appraisal report. It is the total income expected from all five units over a 1 year period with no consideration for delinquency or missed payments. The total Operating Expenses are what a property owner can typically expect to have to spend, based on the natural wear and tear of appliances, roofing and floor coverings, per year to maintain a minimum level of repair and maintenance on the subject property. The total Operating Expenses are then subtracted from the Effective Gross Income to derive the actual Operating Income for the subject property for a 1 year period and on a month to month basis.

Wayne T. Agee
Appraiser Name

Wayne T. Agee
Appraiser Signature

June 25, 2007
Date

Underwriter's Comments and Rationale for Adjustments

Underwriter Name

Underwriter Signature

Date

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Small Residential Income Property Appraisal Report

File No. RL5521 Page #10

ATTACHMENT 2

RL5521
File # RL5521

FEATURE	SUBJECT	COMPARABLE SALE # 4			COMPARABLE SALE # 5			COMPARABLE SALE # 6					
Address	906 & 908 7th St. Lewiston, ID 83501	326 6th Ave. Lewiston, ID 83501											
Proximity to Subject		0.34 miles NW											
Sale Price	\$ N/A	\$ 171,000			\$			\$					
Sale Price/Gross Bldg. Area	\$ sq.ft.	\$ 44.83 sq.ft.			\$ sq.ft.			\$ sq.ft.					
Gross Monthly Rent	\$ 2,115	\$ 1,775			\$			\$					
Gross Rent Multiplier		96.34											
Price per Unit	\$	\$ 42,750			\$			\$					
Price per Room	\$	\$ 11,400			\$			\$					
Price per Bedroom	\$	\$ 42,750			\$			\$					
Rent Control	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No			<input type="checkbox"/> Yes <input type="checkbox"/> No					
Data Source(s)		County Records, MLS											
Verification Source(s)		County Records, MLS											
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION			+ (-) Adjustment			DESCRIPTION			+ (-) Adjustment		
Sale or Financing Concessions		Conventional No Concession											
Date of Sale/Time		02/13/07 - 251											
Location	Lewiston	Lewiston											
Leasehold/Fee Simple	Fee Simple	Fee Simple											
Site	7,000 Sq.Ft.	7,100 sq. ft.											
View	Average	Average											
Design (Style)	1 Story/Bsmt	1.5 Story											
Quality of Construction	Average	Average											
Actual Age	A 55 & 63, E12-15	A 107, E 20-25			+10,000								
Condition	Average	Average											
Gross Building Area	3,136	3,814			-10,850								
Unit Breakdown	Total Bdrms Baths	Total Bdrms Baths						Total Bdrms Baths					
Unit # 1	4 2 1	4 1 1			+1,000								
Unit # 2	4 1 1	4 1 1											
Unit # 3	4 2 1	4 1 1			+1,000								
Unit # 4	4 1 1	3 1 1											
Basement Description	1,568 Sq.Ft.	Crawl Space											
Basement Finished Rooms	90% Finished	None											
Functional Utility	Average	Average											
Heating/Cooling	GFA,WtrRad/WI	GFA/Wall											
Energy Efficient Items	Average	Average											
Parking On/Off Site	4-Crprt. Det.	O.S.P.			+7,000								
Porch/Patio/Deck	Porch,Patio	Porch,Patio											
Aux Heat	None	None											
Other Amenities	Shed,Fence	Shed,Fence											
ACCESSORY UNIT	3,2,1 528 sq. ft.	None			+35,000								
Net Adjustment (Total)		<input checked="" type="checkbox"/> + <input type="checkbox"/> -			\$ 43,150			<input type="checkbox"/> + <input type="checkbox"/> -			\$		
Adjusted Sale Price of Comparables		Net Adj. 25.2 % Gross Adj. 37.9 %			\$ 214,150			Net Adj. % Gross Adj. %			\$		
Adjusted Price Per Unit (Adj. SP Comp / # of Comp Units)		\$ 53,538			\$			\$					
Adjusted Price Per Room (Adj. SP Comp / # of Comp Rooms)		\$ 14,277			\$			\$					
Adjusted Price Per Bedrm (Adj. SP Comp / # of Comp Bedrooms)		\$ 53,538			\$			\$					
Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).													
ITEM	SUBJECT	COMPARABLE SALE # 4			COMPARABLE SALE # 5			COMPARABLE SALE # 6					
Date of Prior Sale/Transfer	None Found	None Found											
Price of Prior Sale/Transfer	N/A	N/A											
Data Source(s)	County Records, MLS	County Records, MLS											
Effective Date of Data Source(s)	06/21/2007	06/25/2007											
Analysis of prior sale or transfer history of the subject property and comparable sales											See comments on page # 2		
Analysis/Comments See comments section on page # 4.													

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Subject Photo Page

File No. RL5521 Page #11

ATTACHMENT 2

Borrower/Client	N/A				
Property Address	906 & 908 7th St.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				



Subject Front

906 & 908 7th St.
Sales Price N/A
Gross Building Area 3,136
Age A 55 & 63, E12-15



Subject Accessory Unit # 5



Subject Rear of 906 & 908

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Subject Photo Page

File No. RL5521 Page #12

ATTACHMENT 2

Borrower/Client	N/A				
Property Address	906 & 908 7th St.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				



Subject Street

906 & 908 7th St.
Sales Price N/A
Gross Building Area 3,136
Age A 55 & 63, E12-15



Subject Alley

Subject Street

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Comparable Photo Page

File No. RL5521 Page #13

ATTACHMENT 2

Borrower/Client	N/A				
Property Address	906 & 908 7th St.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				



Comparable 1

1621 21st Ave.
Sales Price 215,000
Gross Building Area 3,576
Age A 32, E 10-12



Comparable 2

924 & 926 Preston Ave.
Sales Price 281,500
Gross Building Area 3,128
Age A 67 & 74, E12-15



Comparable 3

309 6th Ave.
Sales Price 157,000
Gross Building Area 2,426
Age A 60, E 12-15

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Comparable Photo Page

File No. RL5521 Page #14

ATTACHMENT 2

Borrower/Client	N/A				
Property Address	906 & 908 7th St.				
City	Lewiston	County	Nez Perce	State	ID Zip Code 83501
Lender	Lewis-Clark State College				



Comparable 4

326 6th Ave.
Sales Price 171,000
Gross Building Area 3,814
Age A 107, E 20-25

Comparable 5

Sales Price
Gross Building Area
Age

Comparable 6

Sales Price
Gross Building Area
Age

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Rental Photo Page

File No. RL5521 Page #15

ATTACHMENT 2

Borrower/Client	N/A				
Property Address	906 & 908 7th St.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				



Rental 1

108 5th St.
Proximity to Subject 0.65 miles NW
Gross Building Area 3,556
Age A 99, E 15-20



Rental 2

1022 Ripon Ave.
Proximity to Subject 3.79 miles SE
Gross Building Area 3,240
Age A 39, E 12-15



Rental 3

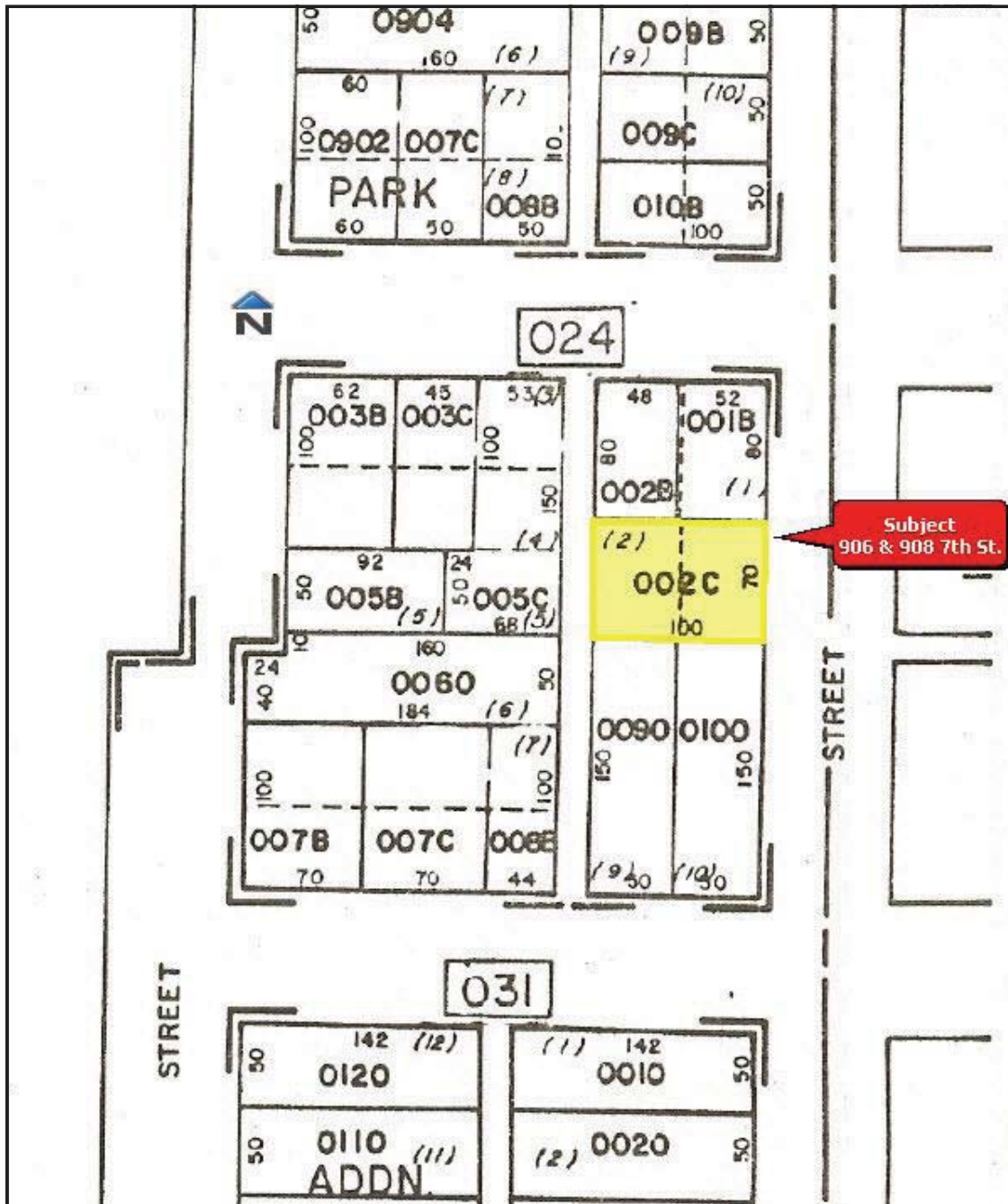
3512 15th St.
Proximity to Subject 4.06 miles SE
Gross Building Area 4,428
Age A 9, E 2-3

STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Site Map

File No. RL5521 Page #16

ATTACHMENT 2

Borrower/Client	N/A				
Property Address	906 & 908 7th St.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				



**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
Building Sketch**

File No. RL5521 Page #17

ATTACHMENT 2

Borrower/Client	A		
Property Address	906 & 908 7th St.		
City	Lewiston	County	Nez Perce
Lender	Lewis-Clark State College	State ID	Zip Code 83501

Main Floor
56.0'

Detached Living Area
22.0'

Basement
56.0'

38.0'

18.0'

Sketch by Apex IV™

Comments:

AREA CALCULATIONS SUMMARY			
Code	Description	Size	Net Totals
GLA1	First Floor	1568.00	1568.00
BSMT	Basement	1568.00	1568.00
GAR	Carport	684.00	684.00
OTH	Accessary Unit	528.00	528.00
TOTAL LIVABLE (rounded)			1568

LIVING AREA BREAKDOWN	
Breakdown	Subtotals
First Floor	
28.0 x 56.0	1568.00
1 Calculation Total (rounded)	1568

STATE BOARD OF EDUCATION

NOVEMBER 2, 2007

Location Map

File No. RL5521 Page #18

ATTACHMENT 2

Borrower/Client	N/A					
Property Address	906 & 908 7th St.					
City	Lewiston	County	Nez Perce	State ID	Zip Code	83501
Lender	Lewis-Clark State College					

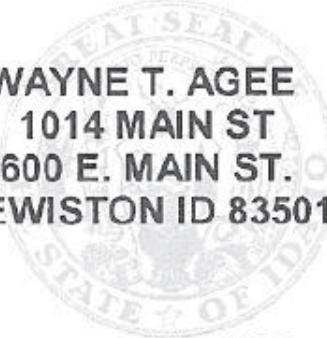
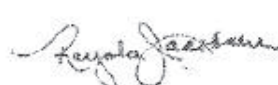


STATE BOARD OF EDUCATION
NOVEMBER 2, 2007
License

File No. RL5521 Page #19

ATTACHMENT 2

Borrower/Client	N/A				
Property Address	906 & 908 7th St.				
City	Lewiston	County	Nez Perce	State ID	Zip Code 83501
Lender	Lewis-Clark State College				

Bureau of Occupational Licenses		
Department of Self Governing Agencies		
The person named has met the requirements for licensure and is entitled under the laws and rules of the State of Idaho to operate as a(n)		
LICENSED RESIDENTIAL APPRAISER		
		
WAYNE T. AGEE		
1014 MAIN ST		
600 E. MAIN ST.		
LEWISTON ID 83501		
	LRA-1868	12/30/2007
Rayola Jacobsen	Number	Expires
Chief, B.O.L.		

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

EARNEST MONEY AGREEMENT

THIS AGREEMENT, made and entered into this ____ day of _____ 2007, by and between ROGER PETERSON, hereinafter referred to as "SELLER"; and STATE OF IDAHO, BY AND THROUGH THE STATE BOARD OF EDUCATION AS BOARD OF TRUSTEES FOR LEWIS-CLARK STATE COLLEGE, hereinafter referred to as "BUYER,"

WITNESSETH:

Subject to the conditions hereinafter set forth, Buyer hereby agrees to purchase and Seller hereby agree to sell 906 & 908 7th Street; certain real property, situated in Nez Perce County, Idaho, and more particularly described as follow, to wit:

Lewiston: Park Addition; S70' of Lot 1, Block 24 &
S70' Lot 2, Block 24.

Subject to the conditions hereinafter set forth, Buyer hereby agrees to pay unto Seller, as purchase price for said property the sum of Two Hundred Forty-Eight Thousand Dollars (\$248,000), which shall be paid as follows:

(a) The sum of One Thousand Dollars (\$1,000) heretofore deposited with Seller as earnest money, the receipt of which is hereby acknowledged.

(b) The sum of Fifty-Nine Thousand Dollars (\$59,000), in cash, at closing.

(c) The remaining unpaid balance of the purchase price in the amount of One Hundred Eighty-Eight Thousand Dollars (\$188,000), together with interest on the declining balance of the purchase price at the rate of 7% annum, which principal amount, together with accrued interest, shall be paid as follows:

(1) The sum of Twenty-Three Thousand Six Hundred Seventy Dollars (\$23,670) paid on November 1, annually, until the balance is paid in full. The first payment is due on or before November 1, 2008.

(2) The entire remaining unpaid balance, together with accrued interest, shall be paid on November 1, 2019.

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NOVEMBER 2, 2007**

(3) Buyer shall be entitled to terminate the contract at any time, with 30 days' notice to Seller, upon payment of the remaining principal and all interest accrued to the date of termination

(4) The unpaid balance of the purchase price shall be evidenced by a Promissory Note executed by Buyer in favor of Seller and secured by a first deed of trust upon the above-described real property. The obligations of the Buyer under said Promissory Note and Deed of Trust shall become nonrecourse obligation upon occurrence of the events described in Paragraph IX of this Earnest Money Agreement, which nonrecourse feature will be set out in the Promissory Note and Deed of Trust.

The parties further covenant and agree as follows:

I.

Within ten (10) days of the date hereof, Seller will furnish to Buyer a commitment for title insurance issued by Land title of Nez Perce County, Inc. at Buyer's expense. Buyer shall have a period of ten (10) days after receipt of a copy of the commitment for title insurance or to and including the time of closing, whichever is shorter, to object to the state of Seller's title and to any special exception contained therein. If buyer objects to Seller's title or to an exception contained in the commitment for title insurance, Seller shall have a period of ten (10) days in which to cause the exception to be removed and Seller agree to use their best efforts to remove any such exception. If Seller fails to remove any exceptions objected to by Buyer within said ten (10) day period or such longer period as may be mutually agreeable to the parties, then, and in such event, if Buyer continues to object to the exception, either party may terminate this Agreement by giving written notice of termination to the other and to the closing agent. If Buyer fails to timely object to any exception contained in the title commitment as provided

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above, Buyer will be deemed to have waived any objection and to have accepted the state of title to the property as evidenced by the commitment.

II.

On or before the date of closing, Seller shall execute and deliver to closing agent a Warranty Deed conveying title to the premises, subject only to those special exceptions contained in the title commitment which are accepted by Buyer as provided in Paragraph I. On or before the date of closing, Buyer shall deposit the payment due upon closing and Buyer's share of the closing costs with closing agent. Following closing, Seller shall cause Land Title of Nez Perce County, Inc., to issue an owner's title insurance policy at Buyer's expense, insuring fee simple title to Buyer in accordance with the commitment as accepted by Buyer; subject, however, to the Deed of Trust to be executed by Buyer upon closing.

III.

The date of closing shall be on or before the 30th day of November, 2007. Closing shall occur at Land Title of Nez Perce County, Inc., which company shall act as closing agent. The closing fee of the closing agent and the cost of preparing this Agreement and the Warranty Deed shall be split equally between Buyer and Seller. Rent, taxes, utilities and other like charges shall be prorated as of the date of closing. The Promissory Note, Deed of Trust and a Request for Reconveyance executed by Seller shall be held for collection by closing agent as long-term escrow holder. The parties agree to execute long-term escrow instructions at closing. The long-term escrow setup and annual fees shall be paid one-half by Buyer and one-half by Seller.

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IV.

This agreement and the obligation of Buyer to purchase hereunder are subject to the satisfaction or waiver of all of the following conditions on or before November 30, 2007:

(a) That Buyer's purchase of the property upon the terms herein set forth is approved by the Idaho State Board of Education and Buyer is authorized to proceed with the purchase, and

(b) Buyer has inspected the property, the leases or rental agreements and other information to be provided by Sellers under this Agreement and has determined the same to be satisfactory, in Buyer's discretion, and

(c) Buyer has determined, in Buyer's discretion, that its intended uses of the property are permitted under existing zoning and building laws, codes and ordinances or has obtained such conditional uses, zone changes, variances or waivers as will permit the property to be lawfully used for Buyer's intended uses.

Unless Buyer gives written notice to Seller that the foregoing conditions have been satisfied or waived on or before December 1, 2007, then until the buyer gives written notice to Seller of such satisfaction or waiver either party may terminate this Agreement by giving written notice of termination to the other party at any time after said date. In the event this Agreement is terminated under this Paragraph IV, Buyer's down payment of One Thousand Dollars (\$1000) shall be promptly returned to Buyer and neither party shall have any further obligation or liability to the other under this Agreement.

V.

Because the property is a five (5) unit rental property, the parties make the following additional agreements, which agreements shall survive the closing of this transaction:

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

(a) Seller agrees that he will promptly provide Buyer with a written schedule showing, by rental unit: (i) the name and, if available, the telephone number of the tenant, (ii) the term of the tenancy, (iii) the rent to be paid for such unit and any other agreements or terms which are not reflected in written lease or rental agreement delivered to Buyer as provided below, (iv) the amount of any delinquent rent, (v) the amount of any security or damage deposit held by Seller, and (vi) whether the tenant has executed a written lease or rental agreement. Tenant agrees to update the schedule, from time to time, to reflect any material change and agrees to provide an accurate, updated schedule at the time of closing. Seller shall also promptly provide Buyer with true and correct copies of all leases or rental agreements and shall deliver the originals of all leases and rental agreements to Buyer at closing.

(b) Until the date of closing, Seller shall not enter into any new leases or rental agreements or modify any existing lease or rental agreement without first obtaining the written consent of Buyer.

(c) At closing, Seller shall account to and pay over to Buyer for all tenant security or damage deposits collected by or on behalf of Seller from those persons who are tenants at the time of closing. Except as provided below, upon receipt of those deposits, Buyer shall indemnify and hold harmless from any claim against Seller by any tenant making such deposit which arises from Buyer's failure to comply with the provision of Idaho Code §6-321.

(d) Seller shall indemnify and hold Buyer harmless from any claim, liability or loss suffered by Buyer arising from Seller's failure to provide the information required in subparagraph (a), above, any material inaccuracy of the information

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

provided, the failure of Seller to accurately account for and pay over damage or security deposits collected by Seller, his agents, or employees and any failure to Seller to comply with the provisions of Subparagraph (b), above.

(e) Buyer shall have no obligation to collect delinquent rent owing to Seller and no obligation to apply payments received from tenants to delinquent rent owing to Seller before applying them to rent owing to Buyer.

VI.

Buyer shall have possession of the property on December 1, 2007, subject to any rights of tenants of Seller.

VII.

If, after satisfaction or waiver of any contingencies noted herein, Buyers shall fail to close this transaction through no fault of Seller, and then Seller may, at his option, upon five (5) days' written notice to Buyer, elect to exercise either of the following:

- (a) Terminate this Agreement, retain possession of the property and to retain all sums paid by Buyer as due and liquidated damages and not as a penalty, or
- (b) To enforce this Agreement in any manner provided by law or in equity or to sue for damages for any breach thereof.

If, after satisfaction or waiver of all contingencies, Seller shall fail to close this transaction through no fault of Buyer, then Buyer may, at its option, on five (5) days' written notice to Seller, elect to exercise either of the following:

- (a) Terminate this Agreement in which event Seller shall repay to Buyer the earnest money paid by Buyer and shall reimburse Buyer for the appraisal fees and all other direct costs and expenses incurred by Buyer as a result of the transaction, or
- (b) To enforce this Agreement in any manner known at law or in equity, or to sue for damages for any breach thereof.

VIII.

In the event the improvements located on the property are materially damaged or destroyed prior to closing, Buyer shall have the right, at their option, to terminate this Agreement and Seller shall repay unto buyer the earnest money paid by buyer pursuant to the provisions of this Agreement.

IX.

Seller understands that Buyer is a governmental entity and this Agreement and the Promissory Notes to be executed pursuant thereto shall not be construed so as to bind or obligate Buyer or the State of Idaho beyond the term of any particularly appropriation of funds by the Idaho State Legislature. If Buyer determines, in its sole discretion, that the Legislature of the State of Idaho has failed, neglected or refused to appropriate sufficient funds to permit Buyer's continued operation and/or the payment of the payments due on the Promissory Note evidencing the remaining balance of the purchase price or if appropriations previously made are rendered inadequate by a "hold-back", repayment or other curtailment of funds, Buyer may terminate the contractual obligations of Buyer under said Promissory Note and the Deed of Trust securing the Promissory Note by giving written notice of such termination to the holder of said Promissory Note. If notice of termination is given, the obligations of Buyer under the Promissory Note and Deed of Trust shall become nonrecourse obligations of Buyer and neither Buyer nor the State of Idaho, nor any official, officer, employee or agent of Buyer or State of Idaho, shall thereafter have any obligation or liability to pay said Promissory Note. However, the giving of such notice of termination shall constitute an event of default under the Promissory Note and Deed of Trust and Sellers shall be entitled to

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

foreclose the Deed of Trust securing the Promissory Note in any manner provided by law, it being understood, however, that neither Buyer nor the State of Idaho nor any official, officer, employee or agent of Buyer or the State of Idaho shall be liable for any deficiency resulting from such foreclosure.

X.

It is further understood and agreed by and between the parties hereto that should any suit be instituted by either of the parties to enforce any term, covenant or condition of this agreement on the part of the other to be performed or to recover damage for the breach thereof, the prevailing party in such suit shall be entitled to receive from the losing party a reasonable amount of attorneys' fees to be fixed by the court having jurisdiction thereof and taxed as costs in such suit.

XI.

This agreement is binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

Roger Peterson

SELLER

STATE OF IDAHO, BY AND THROUGH THE
STATE BOARD OF EDUCATION AS BOARD
OF TRUSTEES FOR LEWIS-CLARK STATE
COLLEGE

BY:_____

BUYER

STATE OF IDAHO)
 :ss.
County of Nez Perce)

On this ____ day of _____ 2007, before me the undersigned, a notary public in and for the State of Idaho, personally appeared Roger Peterson, known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary public in and for the State of Idaho
Residing at _____
My commission Expires: _____

STATE OF IDAHO)
 :ss.
County of Nez Perce)

On this ____ day of _____ 2007, before me the undersigned, a notary public in and for the State of Idaho, personally appeared Chet Herbst, known to me to be the Vice President for Finance and Administration of Lewis-Clark State College, the entity that executed the within and foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary public in and for the State of Idaho
Residing at _____
My commission Expires: _____

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

**Proposed Peterson Property Acquisition
Summary of Terms and Amortization Schedule**

Acquisition of real property located on 906 & 908 7th Street, Lewiston ID.
Buyer proposes to offer the Seller the following:

- Total purchase price \$248,000
- \$1000 earnest money deposit
- \$59,000 down payment at closing
- Balance of \$188,000 to be amortized in an owner-carry contract over a 12 year period with annual payments of \$23,670 commencing on November __, 2008 with the final payment due on November __, 2019
- Interest rate of 7% fixed for the term of the contract.
- Early payoff allowed with payment of all remaining principal and interest accrued to the date of termination.

Loan Amount:	\$188,000
Interest Rate:	7.00%
12 Annual	12
Payment Amount	\$23,670

	PAYMENT	INTEREST	PRINCIPAL	BALANCE
	-	-	-	-
				\$188,000.00
1	\$23,670.00	\$13,160.00	\$10,510.00	\$177,490.00
2	\$23,670.00	\$12,424.30	\$11,245.70	\$166,244.30
3	\$23,670.00	\$11,637.10	\$12,032.90	\$154,211.40
4	\$23,670.00	\$10,794.80	\$12,875.20	\$141,336.20
5	\$23,670.00	\$9,893.53	\$13,776.47	\$127,559.73
6	\$23,670.00	\$8,929.18	\$14,740.82	\$112,818.91
7	\$23,670.00	\$7,897.32	\$15,772.68	\$97,046.24
8	\$23,670.00	\$6,793.24	\$16,876.76	\$80,169.47
9	\$23,670.00	\$5,611.86	\$18,058.14	\$62,111.34
10	\$23,670.00	\$4,347.79	\$19,322.21	\$42,789.13
11	\$23,670.00	\$2,995.24	\$20,674.76	\$22,114.37
12	\$23,670.00	\$1,548.01	\$22,121.99	(\$7.62)

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: V. FINANCIAL AFFAIRS
I. Construction Projects**

April 2002

I. Real and Personal Property and Services

2. Acquisition of Real Property

- a. Any interest in real property acquired for the University of Idaho must be taken in the name of the Board of Regents of the University of Idaho.
- b. Any interest in real property acquired for any other institution, school or agency under the governance of the Board must be taken in the name of the state of Idaho by and through the State Board of Education.
- c. This does not preclude a foundation or other legal entity separate and apart from an institution, school or agency under Board governance from taking title to real property in the name of the foundation or other organization for the present or future benefit of the institution, school or agency. (See Section V.E.)
- d. Acquisition of an option, lease, or any other present or future interest in real property by or on behalf of an institution, school or agency requires prior Board approval if the term of the lease exceeds five (5) years or if the cost exceeds two hundred fifty thousand dollars (\$250,000) annually.
- e. Appraisal.
An independent appraiser must be hired to give an opinion of fair market value before an institution, school or agency acquires fee simple title to real property.
- f. Method of sale - exchange of property.
The Board will provide for the manner of selling real property under its control, giving due consideration to Section 33-601(4), applied to the Board through Section 33- 2211(5), and to Chapter 3, Title 58, Idaho Code. The Board may exchange real property under the terms, conditions, and procedures deemed appropriate by the Board.
- g. Execution.
All easements, deeds, and leases excluding easements, deeds, and leases delegated authority granted to the institutions, school and agencies must be executed and acknowledged by the president of the Board or another officer designated by the Board and attested to and sealed by the secretary of the Board as being consistent with Board action.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

**INSTITUTION/AGENCY AGENDA
COLLEGE OF WESTERN IDAHO**

SUBJECT

FY 2008 College of Western Idaho Budget Approval and Funds Transfer

REFERENCE

August 9, 2007

Finance Committee Chair report

APPLICABLE STATUTE, RULE, OR POLICY

House Bill 283

BACKGROUND

House Bill 283 from the 2007 legislative session appropriated \$5,000,000 to the Office of the State Board of Education (OSBE) in ongoing general funds for a newly formed community college district.

At the August 2007 Board meeting, the Finance Committee Chair reported that the Interim Executive Director released \$300,000 to the College of Western Idaho (CWI) in compliance with Board policy. This action was approved by the Executive Committee. It was noted at the meeting that any amount more than the \$500,000 delegated authority would need to come to the full Board first.

DISCUSSION

House Bill 283, Section 6 provides:

The Legislature seeks to encourage local communities to establish new community college districts under existing law. As such, it is legislative intent that a newly formed community college district shall be eligible for up to \$5,000,000 in ongoing General Fund moneys. The State Board of Education shall evaluate the business and operating plans of any newly created community college in determining the amount of General Fund moneys the college is eligible to receive. Any portion of the \$5,000,000 which is not allocated to a new college shall be reverted to the General Fund. In the event that more than one (1) district is formed, and the Board determines that additional funding is necessary, the Board may request additional funding as a part of the annual budget process.

Therefore, the Board is required to evaluate the business plan and operating budget for CWI and determine the amount to remit to the College from the remaining \$4.7million.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

IMPACT

The FY 2008 budget includes \$5,000,000 in ongoing general funds and \$20,000 interest income.

The FY 2008 projected expenditures include \$1.7m for an Enterprise Resource Planning (ERP) system. The College is planning to purchase the system by January 2008. Most other expenditures include personnel and operating costs.

Non credit classes are scheduled to start January 2008 including short-term workforce training and adult basic education. Credit classes are scheduled to start Fall of 2008.

Unspent general fund appropriations that have been release to the community colleges do not revert back to the State. If the Board determines to provide the full \$4.7m and the ERP system is not purchased in FY 2008, then those funds can be held over to purchase the system in FY 2009.

ATTACHMENTS

Attachment 1: FY2008/2009 College of Western Idaho Budget Page 3

STAFF COMMENTS AND RECOMMENDATIONS

While the FY 2008 budget for CWI has been prepared using the best estimates possible, some agreements with Boise State University have not been finalized. The purchase of the ERP system at \$1.7m may not occur in FY 2008, however, those funds could be held over for purchase in FY 2009.

Staff recommends approval.

BOARD ACTION

A motion to approve the FY 2008 operating budget and plan for the College of Western Idaho and to direct the Interim Executive Director for the Office of the State Board of Education to release to the College of Western Idaho \$4.7m in general funds currently appropriated in the general fund budget of the Office of the State Board of Education.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

HOUSE BILL NO. 283

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

2

1 necessary to achieve readily obtainable administrative efficiencies. The
2 shared resources authorized in this section shall be narrowly defined as
3 reception services. Each division administrator shall retain management
4 decision-making autonomy over their respective divisions. The employees of the
5 Division of Professional-Technical Education shall not be considered or used
6 as adjunct staff by the Office of the State Board of Education. Under no cir-
7 cumstances shall this arrangement impair the individual ability of these agen-
8 cies to fulfill their individual missions. This authorization is automatically
9 withdrawn to the extent it is found to be inconsistent with laws or regula-
10 tions pertaining to the use of federal or dedicated funds. The Legislature
11 shall review this authorization each year and reserve its prerogative to with-
12 draw it at any time.

13 SECTION 4. Agencies and institutions shall distribute the funding for
14 employee compensation based on merit as follows:

15 (a) Agencies and institutions are directed to, based on merit, target
16 funding first toward high turnover classifications and individuals below
17 midpoint within their agency.

18 (b) Agencies and institutions are directed to, based on merit, target
19 funding second toward positions within their agency that are below ninety
20 percent (90%) of the Compa-Ratio.

21 (c) Agencies and institutions are directed to target any remaining fund-
22 ing based on merit using the merit matrix required by Idaho Code.

23 Agencies and institutions shall create compensation and distribution plans to
24 ensure that they are consistent with the policies contained herein. Agency
25 directors and institutional presidents shall approve all compensation and dis-
26 tribution plans and ensure that implementation of the plans is consistent with
27 policies contained herein. Each agency and institution shall forward, for
28 informational purposes, approved copies of the compensation and distribution
29 plans to the Legislative Services Office and the Division of Financial Manage-
30 ment by June 1, 2007. The effective date of implementation of ongoing salary
31 adjustments shall be June 17, 2007.

32 SECTION 5. The Office of the State Board of Education is hereby directed
33 to allocate salary savings, based on performance, to provide for employee sal-
34 ary needs before other operational budget priorities are considered. Where
35 applicable, employees whose salaries are below the midpoint of their pay grade
36 or occupational groups with significant turnover rates shall be considered
37 first in the order of salary savings distributions.

38 SECTION 6. The Legislature seeks to encourage local communities to estab-
39 lish new community college districts under existing law. As such, it is legis-
40 lative intent that a newly formed community college district shall be eligible
41 for up to \$5,000,000 in ongoing General Fund moneys. The State Board of Educa-
42 tion shall evaluate the business and operating plans of any newly created com-
43 munity college in determining the amount of General Fund moneys the college is
44 eligible to receive. Any portion of the \$5,000,000 which is not allocated to a
45 new college shall be reverted to the General Fund. In the event that more than
46 one (1) district is formed, and the Board determines that additional funding
47 is necessary, the Board may request additional funding as a part of the annual
48 budget process.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

**INSTITUTION/AGENCY AGENDA
COLLEGE OF WESTERN IDAHO**

SUBJECT

FY 2009 Budget Requests

REFERENCE

June 14-15, 2007

Instructions to agencies and institutions regarding
submission of budget requests

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.B.1.
Title 67, Chapter 35, Idaho Code

BACKGROUND

As discussed at the June 2007 Board meeting, budget requests are developed in three parts as directed by the Division of Financial Management (DFM) and Legislative Services Office (LSO), in the Budget Development Manual:

- Maintenance of Current Operations (MCO)
- Line Items
- Major Capital Facilities Projects

At the June meeting, the Board directed the Business Affairs and Human Resources Committee and staff of the Board to discuss potential line item budget priority areas and that the Committee will bring its recommendation for line item budget priority areas to the August 2007 Board meeting for final determination.

The newly formed College of Western Idaho (CWI) was given an extension by DFM and LSO to submit their FY 2009 budget request by November 1 to provide more time to develop their revenue and expenditure plans.

The Office of the State Board of Education (OSBE) was appropriated \$5,000,000 in ongoing general funds in FY 2008. The budget request for (OSBE) includes a permanent reversion of \$5,000,000, and the CWI budget request includes a corresponding increase so the FY 2009 Base for CWI will include \$5,000,000. During FY 2008, OSBE will make payments (expenditures) to CWI totaling \$5,000,000. Therefore, the actual expenditures will appear under the State accounting system under OSBE.

The Division of Professional Technical Education (PTE) allocates to each institution with a Pro-Tech function 100% of the direct costs of education including faculty salaries, operating expenditures, capital outlay, and local administration. PTE tuition and fees are supposed to be restricted for PTE facility maintenance. Therefore, the Selland College at BSU is not included in the CWI budget request.

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

DISCUSSION

There are unresolved questions related to agreements with BSU and PTE. It was agreed by DFM, LSO and CWI to only present the portion of the budget that is known at this time. The Board, possibly at the August 2008 Board meeting, will need to approve any reallocation of the PTE appropriation from BSU to CWI. DFM and LSO will expect a reduction in the BSU allocation with a corresponding increase in the CWI allocation.

If additional funds are needed for general fund expenditures, for example instruction, CWI will be able to request a supplemental appropriation. Additional expenditures could also be covered by county property taxes, because CWI will receive its first community college district levy payment in January 2009.

IMPACT

The FY 2008 budget includes \$5,000,000 in ongoing general funds and \$20,000 interest income.

The FY 2009 budget includes revenues from general education fees, PTE fees, state appropriation, liquor revenue, county property taxes, and interest income. The one-time general funds of \$269,397 are to cover a revenue shortfall due to the timing of receiving county property taxes.

Enrollment is projected at 1,200 full-time students taking 12-18 credits and 560 part-time students taking an average 6 credit units (tuition = \$62.50 per credit; fees = \$55.50 per credit; total per credit hour cost = \$118). It also assumes a one-third share of the existing \$300,000 in state liquor funds that are currently split between College of Southern Idaho and North Idaho College.

ATTACHMENTS

Attachment 1: FY 2009 College of Western Idaho Budget Request Page 3

STAFF COMMENTS AND RECOMMENDATIONS

There are unresolved questions related to agreements with BSU and allocations from PTE. However, this budget request represents a conservative estimate of revenues and expenditures. Staff recommends approval.

BOARD ACTION

A motion to approve the FY 2009 budget request by College of Western Idaho as presented on page 3.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

STATE BOARD OF EDUCATION**NOVEMBER 2, 2007**

College of Western Idaho

Proposed Budgets

Fiscal Years 2008 and 2009

	Budget FY 08	Budget FY 09	Percent Increase
<u>REVENUE</u>			
GENERAL EDUCATION TUITION & FEES	0	3,624,960	N/A
PTE TUITION & FEES	0	2,385,960	N/A
COUNTY TUITION PAYMENTS	0	150,000	N/A
STATE APPROPRIATIONS-ACADEMIC	5,000,000	5,000,000	0.00%
STATE APPROPRIATIONS-ONE TIME FUNDS REQUEST	0	269,397	N/A
LIQUOR REVENUE	0	100,000	N/A
COUNTY PROPERTY TAXES	0	2,000,000	N/A
INTEREST ON INVESTMENTS	20,000	100,000	80.00%
GRANT MANAGEMENT FEES	0	0	N/A
OTHER REVENUES	0	0	N/A
TOTALS	5,020,000	13,630,317	63.17%

Does not include Selland College funding or expenses because we do not have MOUs in place from BSU or from SDPTE

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

**College of Western Idaho
2008 - 2009 Proposed Schedule of Tuition Fees
Effective Summer 2008 if Legislative Action is Passed, Fall 2008 and Spring 2009
With new legislation**

Fee Description	Part Time Per Credit Hour	Full Time 12 - 18 Credits	Overload Per Credit Hour over 18 credits
Tuition	\$ 100.00	\$ 1,200.00	\$ 100.00
Technology Fee	\$ 8.00	\$ 96.00	\$ 8.00
Student Activity Fee	\$ 5.00	\$ 60.00	\$ 5.00
Computer Lab Fee	\$ 5.00	\$ 60.00	\$ 5.00
 Total	 \$ 118.00	 \$ 1,416.00	 \$ 118.00
Out of State/Foreign	\$ 300.00	\$ 3,600.00	
 One time Student ID System	 \$ 5.00		
One Time application fee	\$ 25.00		
One Time graduation fee	\$ 30.00		

***Notes**

Current Idaho Code 33-2110 limits the amount that community colleges can charge for tuition to \$1250 per year (625 per semester). SBOE approved legislative action to request to increase the maximum tuition to \$2,500 per year.

Tuition can not be raised more than 10% per year

Out of county students cost their counties \$500 per semester with a maximum lifetime per student of \$3,000

STATE BOARD OF EDUCATION

NOVEMBER 2, 2007

College of Western Idaho

Proposed FY 2008 and FY 2009 Budgets

	Budget FY 2008	Proposed Budget FY 2009	% Increase
Instruction			
General Education Programs			
PERSONNEL	-	1,894,264	N/A
FRINGE BENEFITS	-	601,185	N/A
OPERATING EXPENSE	-	325,000	N/A
CAPITAL OUTLAY	-	90,000	N/A
Sub-Total	-	2,910,448	N/A
Adult Basic Education			
PERSONNEL	-	129,354	N/A
FRINGE BENEFITS	-	43,577	N/A
OPERATING EXPENSE	-	29,000	N/A
CAPITAL OUTLAY	-	-	N/A
Sub-Total	-	201,931	N/A
Total Instruction	-	3,112,380	N/A

ACADEMIC SUPPORT

AVP of Instruction

PERSONNEL	-	61,500	N/A
FRINGE BENEFITS	-	19,980	N/A
OPERATING EXPENSE	-	7,000	N/A
CAPITAL OUTLAY	-	3,000	N/A
Sub-Total	-	91,480	N/A

Chief Technology Officer Administration

PERSONNEL	99,744	157,244	57.65%
FRINGE BENEFITS	32,054	55,058	71.77%
OPERATING EXPENSE	470,107	487,000	3.59%
CAPITAL OUTLAY	1,701,635	330,000	-80.61%
Sub-Total	2,303,540	1,029,302	-55.32%

Enterprise Application Services

PERSONNEL	-	180,000	N/A
FRINGE BENEFITS	-	59,931	N/A
OPERATING EXPENSE	-	8,000	N/A
CAPITAL OUTLAY	-	20,000	N/A
Sub-Total	-	267,931	N/A

Desktop/Helpdesk Support

PERSONNEL	-	53,500	N/A
FRINGE BENEFITS	-	18,314	N/A
OPERATING EXPENSE	-	6,000	N/A
CAPITAL OUTLAY	-	15,000	N/A
Sub-Total	-	92,814	N/A

STATE BOARD OF EDUCATION

NOVEMBER 2, 2007

College of Western Idaho

Proposed FY 2008 and FY 2009 Budgets

	Budget FY 2008	Proposed Budget FY 2009	% Increase
E-Learning Instructional Technology Support			
PERSONNEL	-	54,692	N/A
FRINGE BENEFITS	-	18,570	N/A
OPERATING EXPENSE	-	2,500	N/A
CAPITAL OUTLAY	-	301,500	N/A
Sub-Total	-	377,262	N/A
Other Academic Support			
Library			
PERSONNEL	-	148,888	N/A
FRINGE BENEFITS	-	52,112	N/A
OPERATING EXPENSE	-	459,000	N/A
CAPITAL OUTLAY	-	-	N/A
Sub-Total	-	660,000	N/A
Tutoring & Teaching Support			
PERSONNEL	-	238,394	N/A
FRINGE BENEFITS	-	81,934	N/A
OPERATING EXPENSE	-	811,095	N/A
CAPITAL OUTLAY	-	-	N/A
Sub-Total	-	1,131,423	N/A
Other (Printing & Graphics etc)			
PERSONNEL	-	-	N/A
FRINGE BENEFITS	-	-	N/A
OPERATING EXPENSE	-	75,000	N/A
CAPITAL OUTLAY	-	-	N/A
Sub-Total	-	75,000	N/A
Total Academic Support	2,303,540	3,725,212	61.72%
STUDENT SERVICES			
Student Services			
PERSONNEL	80,000	205,000	156.25%
FRINGE BENEFITS	27,944	78,924	182.44%
OPERATING EXPENSE	223,000	242,500	8.74%
CAPITAL OUTLAY	-	-	N/A
Sub-Total	330,944	526,424	59.07%
Enrollment Services			
PERSONNEL	-	90,000	N/A
FRINGE BENEFITS	-	39,600	N/A
OPERATING EXPENSE	-	200,000	N/A
CAPITAL OUTLAY	-	-	N/A
Sub-Total	-	329,600	N/A
Student Financial Services			
PERSONNEL	22,500	50,000	N/A
FRINGE BENEFITS	8,416	17,910	112.82%
OPERATING EXPENSE	8,500	1,800	-78.82%
CAPITAL OUTLAY	-	2,500	N/A
Sub-Total	39,416	72,210	83.20%
Total Student Services	370,359	928,234	150.63%

STATE BOARD OF EDUCATION

NOVEMBER 2, 2007

College of Western Idaho

Proposed FY 2008 and FY 2009 Budgets

	Budget FY 2008	Proposed Budget FY 2009	% Increase
PHYSICAL PLANT OPERATIONS			
PERSONNEL (Security)	32,500	65,000	100.00%
FRINGE BENEFITS	27,641	35,396	28.06%
OPERATING EXPENSE	4,400	55,000	1150.00%
Office Rent off campus	16,000	64,000	N/A
Off Campus Furniture & Equip		55,000	
Rent/Occupancy - BSU West	9,000	411,730	4474.78%
Grounds BSU West	35,000		N/A
Rent - CCC	-	513,790	N/A
Rent Selland BSU Main Campus	-	1,071,000	N/A
Convert classroom to Offices	-	110,000	N/A
Rent - Oak Park		130,504	N/A
Lease - Horticulture		26,553	N/A
CAPITAL OUTLAY	30,000	50,000	66.67%
Total Physical Plant Operations	154,541	2,587,973	1574.62%
INSTITUTIONAL SUPPORT			
President's Office			
PERSONNEL	179,751	253,179	40.85%
FRINGE BENEFITS	55,224	67,637	22.48%
OPERATING EXPENSE	175,000	153,971	-12.02%
CAPITAL OUTLAY	25,000	5,000	-80.00%
Sub-Total	434,975	479,787	10.30%
Foundation & Resources			
PERSONNEL	-	100,000	N/A
FRINGE BENEFITS	-	35,976	N/A
OPERATING EXPENSE	-	27,000	N/A
CAPITAL OUTLAY	-	1,200	N/A
Sub-Total	-	164,176	N/A
Exec VP of Instruction/Student Services			
PERSONNEL	105,000	120,000	14.29%
FRINGE BENEFITS	35,414	40,290	13.77%
OPERATING EXPENSE	24,000	89,000	270.83%
CAPITAL OUTLAY	12,000	2,000	100.00%
Sub-Total	176,414	251,290	42.44%
Institutional Effectiveness			
PERSONNEL	-	55,000	N/A
FRINGE BENEFITS	-	23,100	N/A
OPERATING EXPENSE	-	6,000	N/A
CAPITAL OUTLAY	-	3,700	N/A
Sub-Total	-	87,800	N/A
VP Finance & Adminsitration			
PERSONNEL	123,714	168,714	36.37%
FRINGE BENEFITS	43,052	58,095	34.94%
OPERATING EXPENSE	41,000	37,306	-9.01%
SERVICES	200,000	195,000	-2.50%
PARTNERSHIP WITH BSU COSTS	289,434	739,726	155.58%
CAPITAL OUTLAY	35,326	11,000	100.00%
Sub-Total	732,526	1,209,841	65.16%

STATE BOARD OF EDUCATION

NOVEMBER 2, 2007

College of Western Idaho

Proposed FY 2008 and FY 2009 Budgets

	Budget FY 2008	Proposed Budget FY 2009	% Increase
Accounting			
PERSONNEL	45,000	111,000	146.67%
FRINGE BENEFITS	14,983	45,469	203.47%
OPERATING EXPENSE	6,500	4,500	-30.77%
CAPITAL OUTLAY	5,000	8,700	74.00%
Sub-Total	71,483	169,669	137.36%
Human Resource Services			
PERSONNEL	40,500	56,500	N/A
FRINGE BENEFITS	16,052	26,704	N/A
OPERATING EXPENSE	5,000	4,500	N/A
CAPITAL OUTLAY	14,500	12,500	N/A
Sub-Total	76,052	100,204	N/A
RESERVES			
PERSONNEL	-	-	N/A
FRINGE BENEFITS	-	-	N/A
OPERATING EXPENSE	128,000	57,600	-55.00%
CAPITAL OUTLAY	-	-	N/A
Sub-Total	128,000	57,600	-55.00%
Public Safety/ Risk Assessment			
PERSONNEL	-	-	N/A
FRINGE BENEFITS	-	-	N/A
OPERATING EXPENSE	-	75,000	100.00%
CAPITAL OUTLAY	-	-	N/A
Sub-Total	-	75,000	100.00%
Public Information Officer			
PERSONNEL	75,000	105,000	40.00%
FRINGE BENEFITS	23,303	37,040	58.95%
OPERATING EXPENSE	177,000	173,000	-2.26%
CAPITAL OUTLAY	7,500	6,200	100.00%
Sub-Total	282,803	321,240	13.59%
Marketing			
PERSONNEL	24,056	24,056	N/A
FRINGE BENEFITS	8,752	8,752	N/A
OPERATING EXPENSE	6,500	2,000	100.00%
CAPITAL OUTLAY	-	-	N/A
Sub-Total	39,308	34,808	-11.45%
Catalog & Student Handbook			
PERSONNEL	-	-	N/A
FRINGE BENEFITS	-	-	N/A
OPERATING EXPENSE	180,000	160,000	-11.11%
CAPITAL OUTLAY	-	-	N/A
Sub-Total	180,000	160,000	-11.11%
Other Institutional Support (Telephone, Mail Services ect)			
PERSONNEL	-	83,000	N/A
FRINGE BENEFITS	-	32,104	N/A
OPERATING EXPENSE	-	10,000	N/A
CAPITAL OUTLAY	-	10,000	N/A
Sub-Total	-	135,104	N/A

STATE BOARD OF EDUCATION

NOVEMBER 2, 2007

College of Western Idaho

Proposed FY 2008 and FY 2009 Budgets

	Budget FY 2008	Proposed Budget FY 2009	% Increase
Trustees			
PERSONNEL	-	-	N/A
FRINGE BENEFITS	-	-	N/A
OPERATING EXPENSE	70,000	30,000	-57.14%
CAPITAL OUTLAY	-	-	N/A
Sub-Total	70,000	30,000	-57.14%
Total Institutional Support	2,191,560	3,276,519	49.51%
GRAND TOTAL	5,020,000	13,630,317	171.52%

**STATE BOARD OF EDUCATION
NOVEMBER 2, 2007**

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: V. FINANCIAL AFFAIRS
Subsection: B. Budget Policies

August 2006

B. Budget Policies

1. Budget Requests

For purposes of Item 1., the community colleges (CSI and NIC), the State Historical Society, and the Commission for Libraries are included.

a. Submission of Budget Requests

The Board is responsible for submission of budget request for the institutions, school and agencies under its governance to the executive and legislative branches of government. Only those budget requests which have been formally approved by the Board will be submitted by the office to the executive and legislative branches.

b. Direction by the Office of the State Board of Education

The preparation of all annual budget requests is to be directed by the Office of the State Board of Education which designates forms to be used in the process. The procedures for the preparation and submission of budget requests apply to operational and capital improvements budgets.

c. Preparation and Submission of Annual Budget Requests

Annual budget requests to be submitted to the Board by the institutions, school and agencies under Board governance are due in the Office of the State Board of Education on the date established by the Executive Director.

d. Presentation to the Board

Annual budget requests are formally presented to the designated committee by the chief executive officer of each institution, school or agency or his or her designee. The designated committee will review the requests and provide recommendations to the Board for their action.

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

TAB	DESCRIPTION	ACTION
1	CERTIFICATION RULES – TEMPORARY RULE – Gifted and Talented	Motion to approve
2	CERTIFICATION RULES – TEMPORARY RULE – Literacy	Motion to approve
3	CERTIFICATION RULES – TEMPORARY RULE – School Nurse and Provisional Endorsement School Nurse	Motion to approve
4	CERTIFICATION RULES – TEMPORARY RULE – Library Media Specialist	Motion to approve
5	CERTIFICATION RULES - APPROVAL OF PENDING RULES – Docket number 08-0202- 0701 - Adding Definition to Requirements for Professional Growth	Motion to approve
6	CERTIFICATION RULES - APPROVAL OF PENDING RULES – Docket number 08-0202- 0702 - Out-of-State Certificate Holders Praxis II Waiver	Motion to approve
7	CERTIFICATION RULES - APPROVAL OF PENDING RULES – Docket number 08-0202- 0706 - Education Requirements to Begin the Alternative Authorization Qualified Paraprofessionals	Motion to approve
8	CERTIFICATION RULES - APPROVAL OF PENDING RULES - DOCKET NO. 08-0202- 0708 – Three Year Interim Certificate	Motion to approve
9	CERTIFICATION RULES - APPROVAL OF PENDING RULES – Docket number 08-0202- 0703 - Extension onto Designation Period for Pupil Personnel Services	Motion to approve
10	CERTIFICATION RULES - APPROVAL OF PENDING RULES – Docket number 08-0202- 0704 - Certification to Meet Special Needs of Virtual Schools and Distance Education and Public School/Postsecondary Partnerships	Motion to approve

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

11	CERTIFICATION RULES - APPROVAL OF PENDING RULES – Docket number 08-0202- 0705 - Sunset Idaho Technology Competency Assessment	Motion to approve
12	APPROVAL OF PENDING RULE - DOCKET NO. 08-0202-0707 – Accreditation	Motion to approve
13	UPDATE ON MATH STANDARDS RULE	Information Item

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

SUBJECT

Approval of Certification Temporary Rule – IDAPA 08.02.02.023 Rules Governing Uniformity – Gifted and Talented

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-1258; Section 33-105, Idaho Code; Section 33-107, Idaho Code

BACKGROUND

This section was amended according to standards review by the Professional Standards Commission (PSC) as required by Idaho Code 33-1258. The change was approved at a previous PSC meeting this year, but never came before the Board of Education.

This rule change clarifies the original intent of the endorsement and to provide consistency with the wording of other endorsements.

ATTACHMENTS

Attachment 1 –Temporary Rule – IDAPA 08.02.02.023

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Temporary Rule – IDAPA 08.02.02.023 as submitted.

BOARD ACTION

A motion to approve Temporary Rule – IDAPA 08.02.02.023 Rules Governing Uniformity – Gifted and Talented as submitted.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

023. ENDORSEMENTS E - L.

10. Gifted and Talented (K-12). Twenty (20) semester credit hours, to include a minimum of three (3) semester credits hours in each of the following: Foundations of Gifted and Talented Education; Creative/Critical Thinking Skills for Gifted and Talented Students; Social and Emotional Needs of Gifted and Talented Students; Curriculum and Instruction for Gifted and Talented Students; and Practicum and Program Design for Gifted and Talented Education. Remaining course work must be in the area of gifted education. ~~(3-16-04)~~(11-02-07)T

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**TITLE 33
EDUCATION
CHAPTER 12
TEACHERS**

33-1258. RECOMMENDATIONS TO IMPROVE PROFESSIONAL STANDARD. The Commission may make recommendations to the state board of education in such areas as teacher education, teacher certification and teaching standards, and such recommendations to the state board of education or to boards of trustees of school districts as, in its judgment, will promote improvement of professional practices and competence of the teaching profession of this state, it being the intent of this act to continually improve the quality of education in the public schools of this state.

**TITLE 33
EDUCATION
CHAPTER 1
STATE BOARD OF EDUCATION**

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

(2) Statements of the state board of education and board of regents of the university of Idaho which relate to the curriculum of public educational institutions, to students attending or applicants to such institutions, or to the use and maintenance of land, equipment and buildings controlled by the respective institutions, are not rules and are not statements of general applicability for the purposes of chapter 52, title 67, Idaho Code.

(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

(a) Notice is given by including the intended action in the official written agenda for a regularly scheduled meeting of the board, and the agenda is available for public inspection at the central office of the board not less than five (5) days prior to the meeting; and

(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

(c) The intended action is discussed but not acted upon during the regularly scheduled meeting for which the agenda was prepared, but instead is held for final action at the next regularly scheduled or later meeting of the board; and

(d) At least fifteen (15) days prior to the scheduled date for final action, the board shall mail to all persons who have made timely request in writing to the board and shall publish in an issue of the Idaho administrative bulletin a brief description of the intended action, or a concise summary of any statement of economic impact required pursuant to section 67-5223(2), Idaho Code, and shall note the time when, the place where, and the manner in which interested persons may present their views thereon; and

(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

**TITLE 33
EDUCATION
CHAPTER 1**

STATE BOARD OF EDUCATION

33-107. GENERAL POWERS AND DUTIES OF THE STATE BOARD. The state board shall have power to:

(1) Perform all duties prescribed for it by the school laws of the state;

(2) Acquire, hold and dispose of title, rights and interests in real and personal property;

(3) Have general supervision, through its executive departments and offices, of all entities of public education supported in whole or in part by state funds;

(4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;

(5) Through its executive departments and offices:

(a) Enforce the school laws of the state,

(b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;

(6) In addition to the powers conferred by chapter 24, title 33, Idaho Code:

(a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,

(b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other entity that is not accredited by an organization recognized by the board,

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

(c) Maintain a register of proprietary schools approved to conduct, provide, offer or sell a course or courses of study in accordance with the procedures established in chapter 24, title 33, Idaho Code;

(7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;

(8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

SUBJECT

Approval of Certification Temporary Rule – IDAPA 08.02.02.024.11 Rules Governing Uniformity – Literacy

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-1258; Section 33-105, Idaho Code; Section 33-107, Idaho Code

BACKGROUND

This section was amended according to standards review by the Professional Standards Commission (PSC) as required by Idaho Code 33-1258. The change was approved at a previous PSC meeting this year, but never came before the Board of Education.

The word change from reading to literacy better reflects what is required of a teacher seeking this endorsement. Reading, writing, speaking, and listening are all part of communicating effectively and learning to be critical thinkers. The global marketplace requires effective communication not only in reading but in the other areas as well. There is no demand for the 6-12 endorsement level.

ATTACHMENTS

Attachment 1 –Temporary Rule – IDAPA 08.02.02.024.11

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Temporary Rule – IDAPA 08.02.02.024.11 as submitted.

BOARD ACTION

A motion to approve Temporary Rule – IDAPA 08.02.02.024.11 Rules Governing Uniformity – Literacy as submitted.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

024. ENDORSEMENTS M - Z.

11. Literacy Reading (6-12 or K-12). Twenty (20) semester credit hours in the area of ~~reading~~ Literacy including a minimum of ~~fifteen (15)~~ three (3) semester credit hours ~~distributed among~~ in each of the following areas: Foundations of Reading or Developmental Reading; Reading in the Content Area; Literature for Youth; Psycholinguistics or Language Development; ~~and~~ Corrective/Diagnostic/Remedial Reading; and Teaching Writing. To obtain a ~~Reading K-12~~ Literacy endorsement, applicants ~~holding a Secondary Certificate~~ must complete ~~an elementary methods course~~ the Idaho Comprehensive Literacy Course or the Idaho Comprehensive Literacy Assessment. Remaining credits MUST be taken in the area of teaching literacy. ~~(3-16-04)~~(11-02-07)T

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**TITLE 33
EDUCATION
CHAPTER 12
TEACHERS**

33-1258. RECOMMENDATIONS TO IMPROVE PROFESSIONAL STANDARD. The Commission may make recommendations to the state board of education in such areas as teacher education, teacher certification and teaching standards, and such recommendations to the state board of education or to boards of trustees of school districts as, in its judgment, will promote improvement of professional practices and competence of the teaching profession of this state, it being the intent of this act to continually improve the quality of education in the public schools of this state.

**TITLE 33
EDUCATION
CHAPTER 1
STATE BOARD OF EDUCATION**

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

(2) Statements of the state board of education and board of regents of the university of Idaho which relate to the curriculum of public educational institutions, to students attending or applicants to such institutions, or to the use and maintenance of land, equipment and buildings controlled by the respective institutions, are not rules and are not statements of general applicability for the purposes of chapter 52, title 67, Idaho Code.

(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

(a) Notice is given by including the intended action in the official written agenda for a regularly scheduled meeting of the board, and the agenda is available for public inspection at the central office of the board not less than five (5) days prior to the meeting; and

(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

(c) The intended action is discussed but not acted upon during the regularly scheduled meeting for which the agenda was prepared, but instead is held for final action at the next regularly scheduled or later meeting of the board; and

(d) At least fifteen (15) days prior to the scheduled date for final action, the board shall mail to all persons who have made timely request in writing to the board and shall publish in an issue of the Idaho administrative bulletin a brief description of the intended action, or a concise summary of any statement of economic impact required pursuant to section 67-5223(2), Idaho Code, and shall note the time when, the place where, and the manner in which interested persons may present their views thereon; and

(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

**TITLE 33
EDUCATION
CHAPTER 1**

STATE BOARD OF EDUCATION

33-107. GENERAL POWERS AND DUTIES OF THE STATE BOARD. The state board shall have power to:

- (1) Perform all duties prescribed for it by the school laws of the state;
- (2) Acquire, hold and dispose of title, rights and interests in real and personal property;
- (3) Have general supervision, through its executive departments and offices, of all entities of public education supported in whole or in part by state funds;
- (4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;

- (5) Through its executive departments and offices:
 - (a) Enforce the school laws of the state,
 - (b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;
- (6) In addition to the powers conferred by chapter 24, title 33, Idaho

Code:

- (a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,

- (b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other entity that is not accredited by an organization recognized by the board,

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

(c) Maintain a register of proprietary schools approved to conduct, provide, offer or sell a course or courses of study in accordance with the procedures established in chapter 24, title 33, Idaho Code;

(7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;

(8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

SUBJECT

Approval of Certification Temporary Rule – IDAPA 08.02.02.027 Rules Governing Uniformity – School Nurse and Provisional Endorsement School Nurse

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-1258; Section 33-105, Idaho Code; Section 33-107, Idaho Code

BACKGROUND

This section was amended according to standards review by the Professional Standards Commission (PSC) as required by Idaho Code 33-1258. The change was approved at a previous PSC meeting this year, but never came before the Board of Education.

Primarily requires attainment of professional RN license in place of “nursing certificate.”

ATTACHMENTS

Attachment 1 –Temporary Rule – IDAPA 08.02.02.027

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Temporary Rule – IDAPA 08.02.02.027 as submitted.

BOARD ACTION

A motion to approve Temporary Rule – IDAPA 08.02.02.027 Rules Governing Uniformity – School Nurse and Provisional Endorsement School Nurse as submitted.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

027. PUPIL PERSONNEL SERVICES CERTIFICATE

03. School Nurse Endorsement. This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement may be accomplished through completion of the following requirements. (3-16-04)

a. The candidate must possess a valid ~~registered-nursing certificate~~ (RN) license issued by the Idaho State Board of Nursing, and a bachelor's degree in nursing, education, or a health-related field from an accredited institution. ~~(3-16-04)~~ (11-02-07)T

b. The candidate must possess a valid professional nursing (RN) license issued by the Idaho State Board of Nursing and have completed ~~Nine~~ (9) semester credit hours ~~shall be taken for~~ from a university or college credit in at least three (3) of the following areas:

1. assessment of student health ~~program management~~;
2. child and adolescent health issues;
3. counseling, psychology, or social work;
4. methods of education ~~instruction~~.

Additionally, must have two (2) years' full-time (or part-time equivalent) school nursing, community health nursing, or any area of pediatric, adolescent, or family nursing experience. ~~(3-16-04)~~ (11-02-07)T

04. Provisional Endorsement - School Nurse. This certificate will be granted for those who do not meet the educational and/or experience requirements but who hold a valid ~~registered~~ professional nursing (RN) license ~~certificate~~ in Idaho. An Interim Certificate – ~~School Nurse~~ will be issued for ~~two (2)~~ three (3) years while the applicant is meeting the educational requirements, and it is not renewable. ~~(3-16-04)~~ (11-02-07)T

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**TITLE 33
EDUCATION
CHAPTER 12
TEACHERS**

33-1258. RECOMMENDATIONS TO IMPROVE PROFESSIONAL STANDARD. The Commission may make recommendations to the state board of education in such areas as teacher education, teacher certification and teaching standards, and such recommendations to the state board of education or to boards of trustees of school districts as, in its judgment, will promote improvement of professional practices and competence of the teaching profession of this state, it being the intent of this act to continually improve the quality of education in the public schools of this state.

**TITLE 33
EDUCATION
CHAPTER 1
STATE BOARD OF EDUCATION**

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

(2) Statements of the state board of education and board of regents of the university of Idaho which relate to the curriculum of public educational institutions, to students attending or applicants to such institutions, or to the use and maintenance of land, equipment and buildings controlled by the respective institutions, are not rules and are not statements of general applicability for the purposes of chapter 52, title 67, Idaho Code.

(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

(a) Notice is given by including the intended action in the official written agenda for a regularly scheduled meeting of the board, and the agenda is available for public inspection at the central office of the board not less than five (5) days prior to the meeting; and

(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

(c) The intended action is discussed but not acted upon during the regularly scheduled meeting for which the agenda was prepared, but instead is held for final action at the next regularly scheduled or later meeting of the board; and

(d) At least fifteen (15) days prior to the scheduled date for final action, the board shall mail to all persons who have made timely request in writing to the board and shall publish in an issue of the Idaho administrative bulletin a brief description of the intended action, or a concise summary of any statement of economic impact required pursuant to section 67-5223(2), Idaho Code, and shall note the time when, the place where, and the manner in which interested persons may present their views thereon; and

(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

**TITLE 33
EDUCATION
CHAPTER 1**

STATE BOARD OF EDUCATION

33-107. GENERAL POWERS AND DUTIES OF THE STATE BOARD. The state board shall have power to:

- (1) Perform all duties prescribed for it by the school laws of the state;
- (2) Acquire, hold and dispose of title, rights and interests in real and personal property;
- (3) Have general supervision, through its executive departments and offices, of all entities of public education supported in whole or in part by state funds;
- (4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;

- (5) Through its executive departments and offices:
 - (a) Enforce the school laws of the state,
 - (b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;
- (6) In addition to the powers conferred by chapter 24, title 33, Idaho

Code:

- (a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,

- (b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other entity that is not accredited by an organization recognized by the board,

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

(c) Maintain a register of proprietary schools approved to conduct, provide, offer or sell a course or courses of study in accordance with the procedures established in chapter 24, title 33, Idaho Code;

(7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;

(8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

SUBJECT

Approval of Certification Temporary Rule – IDAPA 08.02.02.023.03 Rules Governing Uniformity – Library Media Specialist

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-1258; Section 33-105, Idaho Code; Section 33-107, Idaho Code

BACKGROUND

This section was amended according to standards review by the Professional Standards Commission (PSC) as required by Idaho Code 33-1258. The change was approved at a previous PSC meeting this year, but never came before the Board of Education.

The change from Education Media Generalist to Library Media Specialist reflects the degree title universities/colleges use most often nationwide for this endorsement. The course titles were changed to reflect university/college course offering titles.

ATTACHMENTS

Attachment 1 –Temporary Rule – IDAPA 08.02.02.023.03

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Temporary Rule – IDAPA 08.02.02.023.03 as submitted.

BOARD ACTION

A motion to approve Temporary Rule – IDAPA 08.02.02.023.03 Rules Governing Uniformity – Library Media Specialist as submitted.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

023. ENDORSEMENTS E - L.

03. Library Education-Media Generalist-Specialist (K-12). Twenty (20) semester credit hours in the field of Education Media or Library Science, including a minimum of ~~fifteen (15) credit hours of course work distributed among each of the following:~~ Material Selection/Collection Development/Materials Selection; Literature for Youth or Children; Organization of Information (Cataloging and Classification); or School Library Administration/Management of Educational Materials; Library Automation/Information Technologyies and Information LiteracyResearch Methods. ~~(3-16-04)(11/02.07)T~~

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**TITLE 33
EDUCATION
CHAPTER 12
TEACHERS**

33-1258. RECOMMENDATIONS TO IMPROVE PROFESSIONAL STANDARD. The Commission may make recommendations to the state board of education in such areas as teacher education, teacher certification and teaching standards, and such recommendations to the state board of education or to boards of trustees of school districts as, in its judgment, will promote improvement of professional practices and competence of the teaching profession of this state, it being the intent of this act to continually improve the quality of education in the public schools of this state.

**TITLE 33
EDUCATION
CHAPTER 1
STATE BOARD OF EDUCATION**

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

(2) Statements of the state board of education and board of regents of the university of Idaho which relate to the curriculum of public educational institutions, to students attending or applicants to such institutions, or to the use and maintenance of land, equipment and buildings controlled by the respective institutions, are not rules and are not statements of general applicability for the purposes of chapter 52, title 67, Idaho Code.

(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

(a) Notice is given by including the intended action in the official written agenda for a regularly scheduled meeting of the board, and the agenda is available for public inspection at the central office of the board not less than five (5) days prior to the meeting; and

(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee

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opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

(c) The intended action is discussed but not acted upon during the regularly scheduled meeting for which the agenda was prepared, but instead is held for final action at the next regularly scheduled or later meeting of the board; and

(d) At least fifteen (15) days prior to the scheduled date for final action, the board shall mail to all persons who have made timely request in writing to the board and shall publish in an issue of the Idaho administrative bulletin a brief description of the intended action, or a concise summary of any statement of economic impact required pursuant to section 67-5223(2), Idaho Code, and shall note the time when, the place where, and the manner in which interested persons may present their views thereon; and

(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

**TITLE 33
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STATE BOARD OF EDUCATION

33-107. GENERAL POWERS AND DUTIES OF THE STATE BOARD. The state board shall have power to:

(1) Perform all duties prescribed for it by the school laws of the state;

(2) Acquire, hold and dispose of title, rights and interests in real and personal property;

(3) Have general supervision, through its executive departments and offices, of all entities of public education supported in whole or in part by state funds;

(4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;

(5) Through its executive departments and offices:

(a) Enforce the school laws of the state,

(b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;

(6) In addition to the powers conferred by chapter 24, title 33, Idaho Code:

(a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,

(b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other entity that is not accredited by an organization recognized by the board,

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(c) Maintain a register of proprietary schools approved to conduct, provide, offer or sell a course or courses of study in accordance with the procedures established in chapter 24, title 33, Idaho Code;

(7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;

(8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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SUBJECT

Approval of Pending Rule Docket No. 08-0202-0701 - Adding Definition to Requirements for Professional Growth

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105, Idaho Code; Section 33-107, Idaho Code

REFERENCE

06/14/07

M/S (Terrell/Agidius): To approve the temporary and proposed rules, Docket Number 08-0202-0701– Adding Definition to Requirements for Professional Growth. *Motion carried unanimously.*

BACKGROUND

This change adds further definition to the Requirements for Professional Growth. Though it has always been the intention, these changes specifically define “educationally related” credits as being tied to content area, pedagogical best practices, school leadership and/or district need as designated by an administrator. Public hearing testimony was received and considered. It was determined that the rule, as currently written, addresses the comments received; Christina Linder, Director of Certification, responded to the testifier.

ATTACHMENTS

Attachment 1 – Pending Rule Docket #08-0202-0701

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Pending Rule Docket No. 08-0202-0701 as submitted.

BOARD ACTION

A motion to approve Pending Rule Docket No. 08-0202-0701, Rules Governing Uniformity, Adding Definition to Requirements for Professional Growth.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**STATE DEPARTMENT OF EDUCATION
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060. APPLICATION PROCEDURES / PROFESSIONAL DEVELOPMENT.

01. Application for Idaho Certificate. To obtain, renew, or reinstate an Idaho certificate, the applicant will submit an application on a form supplied by the State Department of Education or the State Division of Professional-Technical Education. (3-16-04)

02. State Board of Education Requirements for Professional Growth. (4-1-97)

a. Credits taken for recertification must be educationally related to the professional development of the applicant. (4-1-97)

i. Credits must be specifically tied to content areas and/or an area of other endorsement; or (6-14-07)T

ii. Credits must be specific to pedagogical best practices or for administrative/teacher leadership; or (6-14-07)T

iii. Credits must be tied to a specific area of need designated by district administration. (6-14-07)T

b. Graduate or undergraduate credit will be accepted for recertification. Credit must be college transferable and completed through an accredited college or university. (4-1-97)

c. All requests for equivalent inservice training to apply toward recertification must be made through the State Department of Education upon recommendation of the board of trustees consistent with the State Department of Education guidelines. Individuals holding Professional-Technical Specialist Certificates must receive State Division of Professional-Technical Education approval of inservice training and course work prior to applying for renewal. (3-16-04)

d. At least fifteen (15) hours of formal instruction must be given for each hour of inservice credit granted. (4-1-97)

e. Recertification credits may not be carried over from one (1) recertification period to the next. (4-1-97)

f. Certificated personnel teaching in subjects outside their major area of preparation will be encouraged to complete the courses required for major certification endorsement. (4-1-97)

03. State Board of Education Professional Development Requirements. (4-1-97)

a. Districts will have professional development plans. (4-1-97)

b. All certificated personnel will be required to complete at least six (6) semester hours or the equivalent within the five (5) year period of validity of the certificate being renewed. (4-1-97)

c. At least three (3) semester credits will be taken for university or college credit. Verification will be by official transcript. (4-1-97)

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

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33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

(2) Statements of the state board of education and board of regents of the university of Idaho which relate to the curriculum of public educational institutions, to students attending or applicants to such institutions, or to the use and maintenance of land, equipment and buildings controlled by the respective institutions, are not rules and are not statements of general applicability for the purposes of chapter 52, title 67, Idaho Code.

(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

(a) Notice is given by including the intended action in the official written agenda for a regularly scheduled meeting of the board, and the agenda is available for public inspection at the central office of the board not less than five (5) days prior to the meeting; and

(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

(c) The intended action is discussed but not acted upon during the regularly scheduled meeting for which the agenda was prepared, but instead is held for final action at the next regularly scheduled or later meeting of the board; and

(d) At least fifteen (15) days prior to the scheduled date for final action, the board shall mail to all persons who have made timely request in writing to the board and shall publish in an issue of the Idaho administrative bulletin a brief description of the intended action, or a concise summary of any statement of economic impact required pursuant to section 67-5223(2), Idaho Code, and shall note the time when, the place where, and the manner in which interested persons may present their views thereon; and

(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption,

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incorporating therein its reasons for overruling the considerations urged against its adoption.

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- (1) Perform all duties prescribed for it by the school laws of the state;
- (2) Acquire, hold and dispose of title, rights and interests in real and personal property;
- (3) Have general supervision, through its executive departments and offices, of all entities of public education supported in whole or in part by state funds;
- (4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;
- (5) Through its executive departments and offices:
 - (a) Enforce the school laws of the state,
 - (b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;
- (6) In addition to the powers conferred by chapter 24, title 33, Idaho Code:
 - (a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,
 - (b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other entity that is not accredited by an organization recognized by the board,
 - (c) Maintain a register of proprietary schools approved to conduct, provide, offer or sell a course or courses of study in accordance with the procedures established in chapter 24, title 33, Idaho Code;
- (7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;
- (8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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SUBJECT

Approval of Pending Rules – Docket No. 08-0202-0702 - Out-of-State Certificate Holders Praxis II Waiver

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105, Idaho Code; Section 33-107, Idaho Code

REFERENCE

06/14/07

M/S (Thilo/Agidius): To approve the temporary and proposed rules, Docket Number 08-0202-0702 – Out-of-State certificate Holders Praxis II Waiver. *Motion carried unanimously.*

Board member Thilo thanked the Department for forwarding this. Board member Agidius noted that many highly qualified teachers have been turned away, and this will open the door to lifting an unnecessary restriction.

BACKGROUND

This change allows out-of-state certificate holders to waive Idaho Praxis II requirements provided they hold a current National Board for Professional Standards Teaching certificate or can supply evidence of passing another state's approved content, pedagogy and/or performance area assessment(s). This rule confers a benefit on K-12 teachers and administrators. This rule change responds to a statewide challenge in meeting federal guidelines for Highly Qualified status and teacher shortages. This allows for greater flexibility and a shorter timeline for bringing highly qualified, out-of-state teachers into Idaho classrooms. No public hearing testimony was received on this rule.

The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the August 1, 2007 Idaho Administrative Bulletin, Vol. 07-8, pages 44-45.

ATTACHMENTS

Attachment 1 – Pending Rule Docket No. 08-0202-0702

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Pending Rule Docket No. 08-0202-0702 as submitted.

BOARD ACTION

A motion to approve Pending Rules – Docket No. 08-0202-0702 - Out-of-State Certificate Holders Praxis II Waiver

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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017. CONTENT, PEDAGOGY AND PERFORMANCE ASSESSMENT FOR CERTIFICATION.

01. Assessments. State Board of Education approved content, pedagogy and performance area assessments shall be used in the state of Idaho to ensure qualified teachers are employed in Idaho's classrooms. The Professional Standards Commission shall recommend assessments and qualifying scores to the State Board of Education for approval. (6-14-07)T

02. Out-of-State Waivers. An out-of-state applicant for Idaho certification holding a current certificate may request a waiver from the above requirement. The applicant shall provide evidence of passing a state approved content, pedagogy and performance area assessment(s) or hold current National Board for Professional Standards Teaching Certificate. (6-14-07)T

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

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(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

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(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

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(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption,

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- (4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;
- (5) Through its executive departments and offices:
 - (a) Enforce the school laws of the state,
 - (b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;
- (6) In addition to the powers conferred by chapter 24, title 33, Idaho Code:
 - (a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,
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- (7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;
- (8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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SUBJECT

Approval of Pending Rules – Docket No. 08-0202-0706 - Education Requirements to Begin the Alternative Authorization Qualified Paraprofessionals

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105, Idaho Code; Section 33-107, Idaho Code

REFERENCE

06/14/07

M/S (Hall/Lewis): To approve the temporary and proposed rule, Docket Number 08-0202-0709 – Education Requirements to Begin the Alternative Authorization Qualified Para-Professionals. *Motion carried unanimously.*

BACKGROUND

This rule benefits K12 Pupil Personnel, Administrators, Higher Education Pupil Personnel and Administrator Preparation Programs. This rule change responds to a statewide challenge in meeting federal guidelines for Highly Qualified status and teacher shortages. It also allows for more local control and flexibility in meeting certification requirements, especially in consideration of rural districts. Additionally, the rule provides an opportunity to extend Alternative Authorization status for extenuating circumstances only in order to maintain Highly Qualified status while finishing Pupil Personnel Services alternative certification. No public hearing testimony was received for this rule.

The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the August 1, 2007 Idaho Administrative Bulletin, Vol. 07-8, pages 46-47.

ATTACHMENTS

Attachment 1 – Pending Rule Docket No. 08-0202-0706

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Pending Rule Docket No. 08-0202-0706 as submitted.

BOARD ACTION

A motion to approve Pending Rules – Docket No. 08-0202-0706 - Education Requirements to Begin the Alternative Authorization Qualified Paraprofessionals

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

046. PARA-EDUCATOR TO TEACHER (EFFECTIVE JULY 1, 2006).

The purpose of this alternative route to certification is to encourage qualified para-educators employed in Idaho classrooms to become certificated teachers. The alternative route preparation program must be completed within five (5) calendar years from the date of admission to the program. (3-20-04)

01. Initial Qualifications. Prior to application: the candidate must hold an AA or AS degree or equivalent, meet state para-educator standards, and be employed as a para-educator. Districts shall identify potential candidate with appropriate dispositions for teaching, and continue to employ candidate as para-educators. District/school provides orientation for candidate as deemed appropriate. (6-14-07)T

02. Alternative Route Preparation Program-College University Preparation. (3-20-04)

a. Candidate will work toward completion of the alternative route preparation program through a participating college/university, and the employing school district. A candidate must attend, participate in, and successfully complete an individualized alternative route preparation program as one (1) of the conditions to receive a recommendation for full certification. (3-20-04)

b. The participating college/university shall provide procedures to assess and credit equivalent knowledge, dispositions, and relevant life/work experiences. (3-20-04)

c. Candidate shall complete all requirements for certification as provided herein. (3-20-04)

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

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(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption,

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- (4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;
- (5) Through its executive departments and offices:
 - (a) Enforce the school laws of the state,
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- (7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;
- (8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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SUBJECT

Approval of Pending Rule Docket No. 08-0202-0708 – Three Year Interim Certificate

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-1201, Idaho Code; Section 33-1204, Idaho Code; Section 33-105, Idaho Code; Section 33-107, Idaho Code

REFERENCE

08/10/07

M/S (Luna/Thilo): To approve the temporary and proposed rule change to IDAPA 08.02.02.015, Rules Governing Uniformity, Three Year Interim Certificate. Motion carried unanimously.

BACKGROUND

Educators holding current certificates from recognized, accredited foreign institutions of education may be issued a three (3) year interim certificate. Professional Standards Commission may grant an extension onto the current three (year) period designated to attain a certificate through the state-approved alternate route. This shall be granted only under extenuating circumstances in order to protect Highly Qualified status.

The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the October 1, 2007 Idaho Administrative Bulletin, Vol. 07-10, pages 192-193.

ATTACHMENTS

Attachment 1 – Pending Rule Docket #08-0202-0708

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Pending Rule Docket No. 08-0202-0708 as submitted.

BOARD ACTION

A motion to approve Pending Rule Docket No. 08-0202-0708, Rules Governing Uniformity, Three Year Interim Certificate.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**STATE DEPARTMENT OF EDUCATION
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015. IDAHO INTERIM CERTIFICATE.

01. Issuance of Interim Certificate. The State Department of Education is authorized to issue a three-year (3) interim certificate to those applicants who hold a valid certificate/license from another state or other entity that participates in the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement. An interim certificate is nonrenewable except under extenuating circumstances.
(8-10-07)T

02. Foreign Institutions. An educator having graduated from a foreign institution that is listed in the Accredited Degree-Granting Institutions section of the *Accredited Institutions of Postsecondary Education* and having a valid/current teaching certificate/license from the country or province in which the foreign institution is located, may be issued a non-renewable, three (3) year interim certificate. The applicant must also complete the requirements listed in Section 013 of these rules.
(8-10-07)T

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

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33-1201. **CERTIFICATE REQUIRED.** Every person who is employed to serve in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse or school librarian shall be required to have and to hold a certificate issued under authority of the state board of education, valid for the service being rendered; except that the state board of education may authorize endorsement for use in Idaho, for not more than five (5) years, certificates valid in other states when the qualifications therefor are not lower than those required for an Idaho certificate.

No certificate shall be required of a student attending any teacher-training institution, who shall serve as a practice teacher in a classroom under the supervision of a certificated teacher, and who is jointly assigned by such teacher-training institution and the governing board of a district or a public institution to perform practice teaching in a non-salaried status. Those students attending a teacher-training institution of another state and who serve as a non-salaried practice teacher in an Idaho school district shall be registered by that school district.

A student, while serving in a practicum, internship or student teaching position under the supervision of a person certificated pursuant to this section, shall be accorded the same liability insurance coverage by the school district being served as that accorded such certificated person in the same district, and shall comply with all rules and regulations of the school district or public institution while serving in such a capacity.

**TITLE 33
EDUCATION
CHAPTER 12
TEACHERS**

33-1204. **VALIDITY, DURATION, RENEWAL AND LAPSE OF CERTIFICATES.** The state board of education shall by rule provide for the validity, duration, renewal and lapse of certificates.

If the holder of a certificate who has undergone a criminal history check pursuant to district policy as provided in subsection (15) of section 33-512, Idaho Code, is found to have been convicted of any felony crime enumerated in section 33-1208, Idaho Code, the certificate shall be revoked or suspended as provided in this chapter.

**TITLE 33
EDUCATION
CHAPTER 1
STATE BOARD OF EDUCATION**

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

(2) Statements of the state board of education and board of regents of the university of Idaho which relate to the curriculum of public educational institutions, to students attending or applicants to such institutions, or to the use and maintenance of land, equipment and buildings controlled by the respective institutions, are not rules and are not statements of general applicability for the purposes of chapter 52, title 67, Idaho Code.

(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

(a) Notice is given by including the intended action in the official written agenda for a regularly scheduled meeting of the board, and the agenda is available for public inspection at the central office of the board not less than five (5) days prior to the meeting; and

(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

(c) The intended action is discussed but not acted upon during the regularly scheduled meeting for which the agenda was prepared, but instead is held for final action at the next regularly scheduled or later meeting of the board; and

(d) At least fifteen (15) days prior to the scheduled date for final action, the board shall mail to all persons who have made timely request in writing to the board and shall publish in an issue of the Idaho administrative bulletin a brief description of the intended action, or a concise summary of any statement of economic impact required pursuant to section 67-5223(2), Idaho Code, and shall note the time when, the place where, and the manner in which interested persons may present their views thereon; and

(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

**TITLE 33
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**STATE DEPARTMENT OF EDUCATION
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33-107. GENERAL POWERS AND DUTIES OF THE STATE BOARD. The state board shall have power to:

- (1) Perform all duties prescribed for it by the school laws of the state;
- (2) Acquire, hold and dispose of title, rights and interests in real and personal property;
- (3) Have general supervision, through its executive departments and offices, of all entities of public education supported in whole or in part by state funds;
- (4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;
- (5) Through its executive departments and offices:
 - (a) Enforce the school laws of the state,
 - (b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;
- (6) In addition to the powers conferred by chapter 24, title 33, Idaho Code:
 - (a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,
 - (b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other entity that is not accredited by an organization recognized by the board,
 - (c) Maintain a register of proprietary schools approved to conduct, provide, offer or sell a course or courses of study in accordance with the procedures established in chapter 24, title 33, Idaho Code;
- (7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;
- (8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

SUBJECT

Approval of Pending Rules – Docket No. 08-0202-0703 - Extension onto Designation Period for Pupil Personnel Services

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105, Idaho Code; Section 33-107, Idaho Code

REFERENCE

06/14/07

M/S (Hall/Lewis): To approve the temporary and proposed rule, Docket Number 08-0202-0706 – Extension onto Designation Period for Pupil Personnel Services. *Motion carried unanimously.*
Board member Hall noted that by removing the barriers, the pool of potential applicants can be increased. It remains up to the local districts as to who they will hire, however.

BACKGROUND

This rule benefits K12 Pupil Personnel, Administrators, Higher Education Pupil Personnel and Administrator Preparation Programs. This rule change responds to a statewide challenge in meeting federal guidelines for Highly Qualified status and teacher shortages. It also allows for more local control and flexibility in meeting certification requirements, especially in consideration of rural districts. Additionally, the rule provides an opportunity to extend Alternative Authorization status for extenuating circumstances only in order to maintain Highly Qualified status while finishing Pupil Personnel Services alternative certification. No public hearing testimony was received for this rule.

This rule was amended after comment was received from the Deans of Education to answer their concerns that applicants with a bachelor's may not be prepared enough or qualified enough for the pupil personnel services areas.

ATTACHMENTS

Attachment 1 – Pending Rule Docket No. 08-0202-0703

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STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Pending Rule Docket No. 08-0202-0703 as submitted.

BOARD ACTION

A motion to approve Pending Rules – Docket No. 08-0202-0703 - Extension onto Designation Period for Pupil Personnel Services

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**STATE DEPARTMENT OF EDUCATION
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047. ALTERNATIVE AUTHORIZATION - PUPIL PERSONNEL SERVICES.

The purpose of this alternative authorization is to allow Idaho school districts to request emergency endorsement/certification when a position requiring the Pupil Personnel Services certificate cannot be filled with someone who has the correct endorsement/certification. The exception to this rule is the School Nurse endorsement. The requirements for this endorsement are already defined in Subsection 027.03, of these rules. (6-14-07)T

01. Term of Validity. Alternative authorization in this area is valid for three (3) years and will be reviewed annually and is nonrenewable. (6-14-07)T

02. Initial Qualifications. The applicant must complete one of the following options: (6-14-07)T

~~a. Option I The applicant must complete the following: (6-14-07)T~~

~~i. Prior to application, a candidate must hold a Bachelor's and/or a Master's degree in an area closely related to the certificate/endorsement area being pursued; and (6-14-07)T~~

~~ii. Before granting the alternative authorization, the candidate must have been accepted into an approved program and have an approved university plan of graduate study that meets the requirements for the appropriate Pupil Personnel Services certificate/endorsement; and (6-14-07)T~~

~~iii. The employing school district must provide supportive information attesting to the ability of the candidate to fill the position. (6-14-07)T~~

~~**a.** Option II The applicant must complete the following: (6-14-07)T~~

~~i. Prior to application, a candidate must hold a Master's degree and hold a current Idaho license from the Bureau of Occupational Licenses in the area of desired certification; and (6-14-07)T~~

~~ii. The employing school district must provide supportive information attesting to the ability of the candidate to fill the position. (6-14-07)T~~

03. Alternative Route Preparation Program. (6-14-07)T

a. The candidate must work toward completion of the alternative route preparation program through a participating college/university and the employing school district. (6-14-07)T

b. The candidate must complete a minimum of nine (9) semester credits annually to be eligible for extension of up to a total of three (3) years. (6-14-07)T

c. The participating college/university or the State Department of Education will provide procedures to assess and credit equivalent knowledge, dispositions, and relevant life/work experiences. (6-14-07)T

d. The candidate must meet all requirements for the endorsement/certificate as provided herein. (6-14-07)T

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

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33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

(2) Statements of the state board of education and board of regents of the university of Idaho which relate to the curriculum of public educational institutions, to students attending or applicants to such institutions, or to the use and maintenance of land, equipment and buildings controlled by the respective institutions, are not rules and are not statements of general applicability for the purposes of chapter 52, title 67, Idaho Code.

(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

(a) Notice is given by including the intended action in the official written agenda for a regularly scheduled meeting of the board, and the agenda is available for public inspection at the central office of the board not less than five (5) days prior to the meeting; and

(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

(c) The intended action is discussed but not acted upon during the regularly scheduled meeting for which the agenda was prepared, but instead is held for final action at the next regularly scheduled or later meeting of the board; and

(d) At least fifteen (15) days prior to the scheduled date for final action, the board shall mail to all persons who have made timely request in writing to the board and shall publish in an issue of the Idaho administrative bulletin a brief description of the intended action, or a concise summary of any statement of economic impact required pursuant to section 67-5223(2), Idaho Code, and shall note the time when, the place where, and the manner in which interested persons may present their views thereon; and

(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption,

**STATE DEPARTMENT OF EDUCATION
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incorporating therein its reasons for overruling the considerations urged against its adoption.

**TITLE 33
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33-107. GENERAL POWERS AND DUTIES OF THE STATE BOARD. The state board shall have power to:

- (1) Perform all duties prescribed for it by the school laws of the state;
- (2) Acquire, hold and dispose of title, rights and interests in real and personal property;
- (3) Have general supervision, through its executive departments and offices, of all entities of public education supported in whole or in part by state funds;
- (4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;
- (5) Through its executive departments and offices:
 - (a) Enforce the school laws of the state,
 - (b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;
- (6) In addition to the powers conferred by chapter 24, title 33, Idaho Code:
 - (a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,
 - (b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other entity that is not accredited by an organization recognized by the board,
 - (c) Maintain a register of proprietary schools approved to conduct, provide, offer or sell a course or courses of study in accordance with the procedures established in chapter 24, title 33, Idaho Code;
- (7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;
- (8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

**STATE DEPARTMENT OF EDUCATION
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SUBJECT

Approval of Pending Rules – Docket No. 08-0202-0704 - Certification to Meet Special Needs of Virtual Schools and Distance Education and Public School/Postsecondary Partnerships

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105, Idaho Code; Section 33-107, Idaho Code

REFERENCE

06/14/07

M/S (Agidius/Hall): To approve the temporary and proposed rule, Docket Number 08-0202-0707 – Rules Governing Certification to Meet Special Needs of Virtual Schools and Distance Education and Public School/Postsecondary Partnerships. *Motion carried unanimously.*

BACKGROUND

This change will provide certification to meet the special needs of virtual schools, distance education and public school/postsecondary partnerships. Postsecondary faculty wishing to teach in K-12 classrooms could qualify for proposed Postsecondary Specialist in order to meet Highly Qualified status without having to earn a standard teaching certificate. Public Hearing testimony was received on this rule to which Christina Linder, Director of Certification, responded. Amendments to the rule were made, in part, based on public comment. Pursuant to Section 67-5228, Idaho Code, transcriptional and clerical changes have been made to the rule and are being published with the Notice of Rulemaking as part of the pending rule. The new version offered herein, includes verbiage originally intended by the Professional Standards Commission. It also includes terminology changes to correspond more closely with the controlling statute.

ATTACHMENTS

Attachment 1 – Pending Rule Docket No. 08-0202-0704

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STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Pending Rule Docket No. 08-0202-0704 as submitted.

BOARD ACTION

A motion to approve Pending Rules – Docket No. 08-0202-0704 - Certification to Meet Special Needs of Virtual Schools and Distance Education and Public School/Postsecondary Partnerships

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**STATE DEPARTMENT OF EDUCATION
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032. POSTSECONDARY SPECIALIST.

A Postsecondary Specialist certificate will be granted to a current faculty member whose primary employment is with ~~from~~ any accredited Idaho postsecondary institution. To be eligible to teach in the public schools under this postsecondary specialist certificate, the candidate must supply a recommendation from the employing institution (faculty's college dean). The primary use of this state-issued certificate will be for distance education, virtual classroom programs, and for public and postsecondary partnerships. (6-14-07)T

01. Renewal. This certificate is good for five (5) years and is renewable. To renew the certificate, the renewal application must be accompanied with a new written recommendation from the postsecondary institution (faculty's college dean level or higher). (6-14-07)T

02. Fees. The fee is the same as currently in effect for an initial or renewal ~~basic teaching~~ certificate as established in Section 066 of these rules. (6-14-07)T

03. Qualifications. The candidate must: (6-14-07)T

a. Hold a masters degree or higher in the content area being taught; (6-14-07)T

b. Be currently employed by the post secondary institution in the content area to be taught; and (6-14-07)T

c. Complete and pass a criminal history check as required according to Section 33-130, Idaho Code. (6-14-07)T

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**TITLE 33
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33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

(2) Statements of the state board of education and board of regents of the university of Idaho which relate to the curriculum of public educational institutions, to students attending or applicants to such institutions, or to the use and maintenance of land, equipment and buildings controlled by the respective institutions, are not rules and are not statements of general applicability for the purposes of chapter 52, title 67, Idaho Code.

(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

(a) Notice is given by including the intended action in the official written agenda for a regularly scheduled meeting of the board, and the agenda is available for public inspection at the central office of the board not less than five (5) days prior to the meeting; and

(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

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(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption,

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

incorporating therein its reasons for overruling the considerations urged against its adoption.

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- (4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;
- (5) Through its executive departments and offices:
 - (a) Enforce the school laws of the state,
 - (b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;
- (6) In addition to the powers conferred by chapter 24, title 33, Idaho Code:
 - (a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,
 - (b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other entity that is not accredited by an organization recognized by the board,
 - (c) Maintain a register of proprietary schools approved to conduct, provide, offer or sell a course or courses of study in accordance with the procedures established in chapter 24, title 33, Idaho Code;
- (7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;
- (8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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NOVEMBER 2, 2007**

SUBJECT

Approval of Pending Rules – Docket No. 08-0202-0705 – Sunset Idaho Technology Competency Assessment

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105, Idaho Code; Section 33-107, Idaho Code

REFERENCE

06/14/07

M/S (Agidius/Terrell): To approve the temporary and proposed rule, Docket Number 08-0202-0708 – Sunset Idaho Technology Competency Assessment. *Motion carried 6-1 (Hall voted Nay).*

BACKGROUND

Public hearing testimony was received on this rule and an amendment to the rule was made based on that feedback.

The Idaho Technology Competency Assessment (ITCA) is no longer a relevant measurement of necessary technology requirements in Idaho classrooms. The original intention of the ITCA was to ensure that Idaho educators were proficient with basic technology. All teachers who were certificated prior to 2006 have passed this exam. Idaho teacher preparation program evaluations include an assessment of the integration of relevant technology that covers the intention of the original ITCA. New teachers entering the classroom are far more proficient in technology than is minimally required by the ITCA. Technology competency will be assessed on a case by case basis and mandated only according to individual district requirements. It is the state's intent that certificated personnel are technologically competent and integrate technology into the classroom. Based on public hearing testimony, this rule has been amended. Specifically, "demonstrate proficiency" has been more clearly defined.

ATTACHMENTS

Attachment 1 – Pending Rule Docket No. 08-0202-0705

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Pending Rule Docket No. 08-0202-0705 as submitted.

BOARD ACTION

A motion to approve Pending Rules – Docket No. 08-0202-0705 – Sunset Idaho Technology Competency Assessment

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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011. TECHNOLOGY STANDARDS.

The proliferation of technology in our daily lives makes it essential that certificated educators are technologically literate. The State Board of Education has established a statewide goal that teachers and administrators be trained in the use of technology for education. (5-3-03)

01. Preservice Competency. All applicants for initial Idaho certification (Kindergarten through grade 12) from an Idaho approved teacher education program must demonstrate proficiency in relevant technology skills and practices to enhance classroom management and instruction as evidenced by the technology requirements of the teacher preparation program. (6-14-07)T

02. Out-of-State Applicants. Out-of-state applicants will be reviewed by the hiring district for technology deficiencies and may be required to take technology courses to improve his technology skills. (6-14-07)T

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- (7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;
- (8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

SUBJECT

Approval of Pending Rule Docket No. 08-0202-0707 - Accreditation

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-119, Idaho Code; Section 33-105, Idaho Code; Section 33-107, Idaho Code

REFERENCE

08/10/07

M/S (Luna/Agidius): To approve the request by the State Department of Education to amend IDAPA 08.02.02.140 as submitted. Motion carried unanimously.

BACKGROUND

District accreditation would be dropped. Required state accreditation for secondary schools would be managed through the Northwest Association of Accredited Schools. Accreditation would no longer be mandatory for elementary schools, K-8. If an elementary or middle school chose to seek state-approved accreditation, the school would join the Northwest Association of Accredited Schools just as our public secondary schools, charter schools, and private schools do now. Current annual NAAS membership fees are \$200 per elementary school; \$300 per middle school; \$400 per high school; and \$400 per K-12 school plus \$0.17 per student.

In response to Dr. Rush's concerns for the Accreditation status of the Robert Janss School under the Idaho Department of Corrections, Shannon Page and Nick Smith met with Gail Cushman, the administrator of the Robert Janss School to discuss the accreditation status of the school. In the meeting, several options were discussed for the accreditation status and it was decided that Nick would present the unique needs of the Robert Janss School to the Northwest Accreditation Committee and seek approval for the school to blend the Department of Corrections standards with the Northwest standards for Special Purpose Schools.

In the Northwest meeting it was agreed to that Robert Janss would take the Department of Corrections standards and blend them with the Special Purpose School standards of the Northwest Association. It was also determined that the Robert Janss school would only be charged membership fees for those students under 21 who were in a high school diploma granting education program and that they would be granted an extension on filing their Annual Report until such time that the new standards have been created and approved. Leonard Paul who is the Associate Director of the Northwest Association of Accredited Schools will work directly with Gail Cushman to blend the standards that will be utilized by the Robert Janss School and any other potential Department of Corrections schools that may seek future accreditation. Gail Cushman has been contacted and

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notified of the above mentioned approvals by the Northwest Association of Accredited Schools.

ATTACHMENTS

Attachment 1 – Pending Rule Docket #08-0202-0707

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The State Department of Education recommends approval of the Pending Rule Docket No. 08-0202-0707 as submitted.

BOARD ACTION

A motion to approve Pending Rule Docket No. 08-0202-0707, Rules Governing Uniformity, Accreditation.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

**ACCREDITATION RULE CHANGE
IDAPA 08.02.02 – RULES GOVERNING UNIFORMITY**

140. ACCREDITATION.

All public secondary schools, serving any grade(s) 9-12, and districts in Idaho will be state accredited. State accreditation is voluntary for elementary schools, grades K-8, and private and parochial schools. (Section 33- 119, Idaho Code) (8-9-07)T-(4-6-05)

~~01. District Strategic Plan.~~ School districts will develop and implement a minimum three to five-year strategic plan focused on the improvement of student performance. The district strategic plan (DSP) will be monitored by a representative review team established by each district's administration and board of trustees, which will recommend revision of goals as necessary and provide regular reports on implementation of the plan to the district's trustees. (4-6-05)

~~0201. Continuous School Improvement Plan.~~ Schools will develop continuous school improvement plans (CSIP) focused on the improvement of student performance. (8-9-07)T-(4-6-05)

~~03. Plan Alignment and Focus.~~ District strategic plans (DSP) and continuous school improvement plans (CSIP) will align and focus on improving school and staff capacity (structure/resource allocation/teacher skill sets) to increase student achievement. (4-6-05)

~~0402. Standards.~~ Districts and schools will meet state-approved Northwest Association of Accredited Schools accreditation standards as adopted by the State Board of Education. (8-9-07)T-(4-6-05)

~~0503. Reporting.~~ Accreditation reports on DSP/CSIP and the attainment of standards will be submitted, as requested, to the State Accreditation Committees, whose members are approved by the State Board of Education and representative of each region of the state. The Committees will review the reports and make recommendations to the State Board of Education for accreditation status. Accreditation status may be appealed to the State Board of Education. An annual accreditation report will be submitted to the State Board of Education. (8-9-07)T-(4-6-05)

~~06. Elements of Thoroughness.~~ The requirements for thoroughness referenced in Section 33-1612, Idaho Code will be met. (4-6-05)

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REFERENCE: APPLICABLE STATUTE, RULE, OR POLICY

**TITLE 33
EDUCATION
CHAPTER 1**

STATE BOARD OF EDUCATION

33-119. ACCREDITATION OF SECONDARY SCHOOLS -- STANDARDS FOR ELEMENTARY SCHOOLS. The state board shall establish standards for accreditation of any secondary school and set forth minimum requirements to be met by public, private and parochial secondary schools, and those in chartered school districts, for accredited status; and the board may establish such standards for all public elementary schools as it may deem necessary.

The board may withdraw accreditation from any secondary school after such period as it may establish when it has been determined that such school has failed or neglected to conform to accreditation standards; and it may reinstate such school as accredited when in its judgment such school has again qualified for accredited status. The board may further establish minimum requirements which any pupil shall meet to qualify for graduation from an accredited secondary school.

"Secondary school" for the purposes of this section shall mean a school which, for operational purposes, is organized and administered on the basis of grades seven (7) through twelve (12), inclusive, or any combination thereof.

"Elementary school" for the purposes of this section shall mean a school which, for operational purposes, is organized and administered on the basis of grades one (1) through six (6), inclusive, one (1) through eight (8), inclusive, or any combination of grades one (1) through eight (8), inclusive.

**TITLE 33
EDUCATION
CHAPTER 1**

STATE BOARD OF EDUCATION

33-105. RULES -- EXECUTIVE DEPARTMENT. (1) The state board shall have power to make rules for its own government and the government of its executive departments and offices; and, upon recommendations of its executive officers, to appoint to said departments and offices such specialists, clerks and other employees as the execution of duties may require, to fix their salaries and assign their duties.

(2) Statements of the state board of education and board of regents of the university of Idaho which relate to the curriculum of public educational institutions, to students attending or applicants to such institutions, or to the use and maintenance of land, equipment and buildings controlled by the respective institutions, are not rules and are not statements of general applicability for the purposes of chapter 52, title 67, Idaho Code.

(3) Notwithstanding any other provision of chapter 52, title 67, Idaho Code, the state board of education and board of regents of the university of Idaho shall be deemed to be in full compliance with the notice requirements of section 67-5221, Idaho Code, if:

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(a) Notice is given by including the intended action in the official written agenda for a regularly scheduled meeting of the board, and the agenda is available for public inspection at the central office of the board not less than five (5) days prior to the meeting; and

(b) Notice of the intended action, accompanied by the full text of the rule under consideration prepared so as to indicate words added or deleted from the presently effective text, if any, is transmitted to the director of the legislative services office at the same time that notice is given under paragraph (a) of this subsection. The director of the legislative services office shall refer the material under consideration to the germane joint subcommittee created in section 67-454, Idaho Code, to afford the subcommittee opportunity to submit data, views or arguments in writing to the board prior to the time for receiving comment as provided in paragraph (d) of this subsection; and

(c) The intended action is discussed but not acted upon during the regularly scheduled meeting for which the agenda was prepared, but instead is held for final action at the next regularly scheduled or later meeting of the board; and

(d) At least fifteen (15) days prior to the scheduled date for final action, the board shall mail to all persons who have made timely request in writing to the board and shall publish in an issue of the Idaho administrative bulletin a brief description of the intended action, or a concise summary of any statement of economic impact required pursuant to section 67-5223(2), Idaho Code, and shall note the time when, the place where, and the manner in which interested persons may present their views thereon; and

(e) Upon adoption of a rule, the board, if requested in writing to do so by an interested person either prior to adoption or within twenty-eight (28) days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling the considerations urged against its adoption.

**TITLE 33
EDUCATION
CHAPTER 1**

STATE BOARD OF EDUCATION

33-107. GENERAL POWERS AND DUTIES OF THE STATE BOARD. The state board shall have power to:

- (1) Perform all duties prescribed for it by the school laws of the state;
- (2) Acquire, hold and dispose of title, rights and interests in real and personal property;
- (3) Have general supervision, through its executive departments and offices, of all entities of public education supported in whole or in part by state funds;
- (4) Delegate to its executive secretary, to its executive officer, or to such other administrators as the board may appoint, such powers as said officers require to carry out the policies, orders and directives of the board;
- (5) Through its executive departments and offices:
 - (a) Enforce the school laws of the state,
 - (b) Study the educational conditions and needs of the state and recommend to the legislature needed changes in existing laws or additional legislation;
- (6) In addition to the powers conferred by chapter 24, title 33, Idaho

**STATE DEPARTMENT OF EDUCATION
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Code:

(a) Maintain a register of postsecondary educational institutions approved to provide programs and courses that lead to a degree or which provide, offer and sell degrees in accordance with the procedures established in chapter 24, title 33, Idaho Code,

(b) Determine whether to accept academic credit at public postsecondary educational institutions in Idaho. Academic credit shall not be transferred into any Idaho public postsecondary institution from a postsecondary educational institution or other entity that is not accredited by an organization recognized by the board,

(c) Maintain a register of proprietary schools approved to conduct, provide, offer or sell a course or courses of study in accordance with the procedures established in chapter 24, title 33, Idaho Code;

(7) Prescribe the courses and programs of study to be offered at the public institutions of higher education, after consultation with the presidents of the affected institutions;

(8) Approve new courses and programs of study to be offered at community colleges organized pursuant to chapter 21, title 33, Idaho Code, when the courses or programs of study are academic in nature and the credits derived there from are intended to be transferable to other state institutions of higher education for credit toward a baccalaureate degree, and when the courses or programs of study have been authorized by the board of trustees of the community college.

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**STATE DEPARTMENT OF EDUCATION
NOVEMBER 2, 2007**

SUBJECT

Vacation of Math Standards Rule

APPLICABLE STATUTE, RULE, OR POLICY

REFERENCE

08/23/07

M/S (Luna/Thilo): To approve the proposed rule change to IDAPA 08.02.03.004, Rules Governing Thoroughness, Idaho Content Standards pending approval by the Division of Financial Management. Motion carried unanimously.

BACKGROUND

Due to public comment the department has decided that additional time is required before advancing the previously proposed math standards. At this time the Math Standards rule, Docket #08-0203-0705 is being vacated.

STAFF COMMENTS AND RECOMMENDATIONS

NA

BOARD ACTION

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

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