

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 11, 2011**

TAB	DESCRIPTION	ACTION
1	IDAHO STATE UNIVERSITY ANNUAL REPORT	Information Item
2	IDAHO PUBLIC TELEVISION ANNUAL REPORT	Information Item
3	IDAHO EDUCATION NETWORK PROGRESS REPORT	Information Item
4	CONCUSSION PROGRAM REPORT	Information Item
5	PROPOSED RULE - IDAPA 08.01.11	Motion to Approve
6	PROPOSED RULE – IDAPA 08.01.04	Motion to Approve
7	BOARD POLICY – I.O DATA MANAGEMENT COUNCIL – 1 ST READING	Motion to Approve

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PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 11, 2011

SUBJECT

Idaho State University (ISU) Annual Progress Report

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section I.M.3.

BACKGROUND/DISCUSSION

This agenda item fulfills the Board's requirement for Idaho State University to provide a progress report on the institution's strategic plan, details of implementation, status of goals and objectives and information on other points of interest in accordance with a schedule and format established by the Board's Executive Director.

President Art Vailas will provide a 15-minute overview of ISU's progress in carrying out the College's strategic plan.

IMPACT

Idaho State University's strategic plan drives the College's integrated planning; programming, budgeting, and assessment cycle and is the basis for the institution's annual budget requests and performance measure reports to the State Board of Education, the Division of Financial Management and the Legislative Services Office.

BOARD ACTION

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Idaho State University

Presentation to the Idaho State Board of Education

August 11, 2011



Carnegie Classification



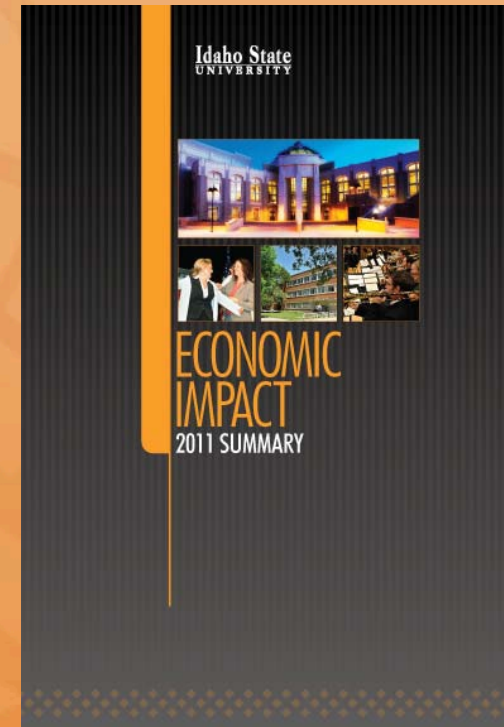
- Among fewer than 5% of institutions nationwide in the Research High or Research Very High classification
- Boosts research opportunities
- Enhances graduates' attractiveness to employers and graduate/professional schools
- Aids in recruiting high-quality faculty, staff and students

Strategic Planning and Institutional Effectiveness

- 2006-2007 the University initiated a process to revise ISU's Strategic Plan
- 2008-2012 Strategic Plan, "Roadmap for Success" continues
- Annual revision/editing of Strategic Plan, in response to feedback from SBOE and campus constituent groups
- Annual assessment of progress on objectives/benchmarks
- Major revision will occur in FY 2012 in tandem with NWCCU Standards One and Two accreditation reports

Economic Impact

- Indirect and induced economic impact of \$312 million to our community
- Additional earnings from ISU alumni living and working in Idaho contribute \$873 million annually to the state economy



Expanding Research



Expanding Research

Ballard Building



- 200,000 square-foot ready-for-research facility
- Supports graduate and undergraduate student learning
- Investment to create a national research hub
- No state-appropriated funds were used for the purchase
- Business plan provides for self-sustainability



Expanding Research

Idaho Accelerator Center Addition

- \$793,000 grant-funded project
- Nearly 5,000 square feet of additional space for engineering and chemistry labs and research offices
- Increasing research dollars in biomedicine



Sponsored Programs

FY 2009

- Grant proposals submitted: \$92.4 million
- Awards received: \$28.7 million

FY 2010

- Grant proposals submitted: \$120 million
- Awards received: \$36.6 million
- Invention disclosures: 3

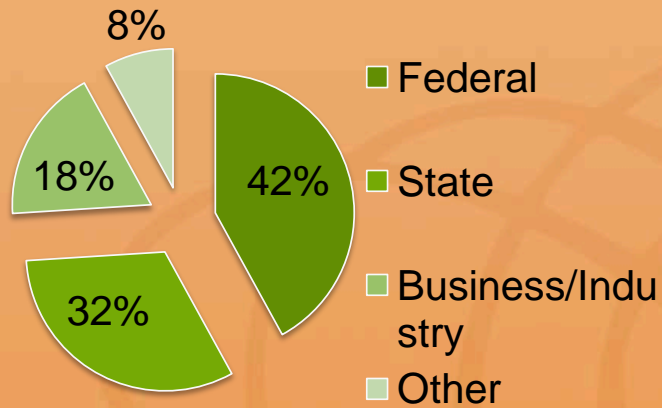
FY 2011

- Invention disclosures: 9

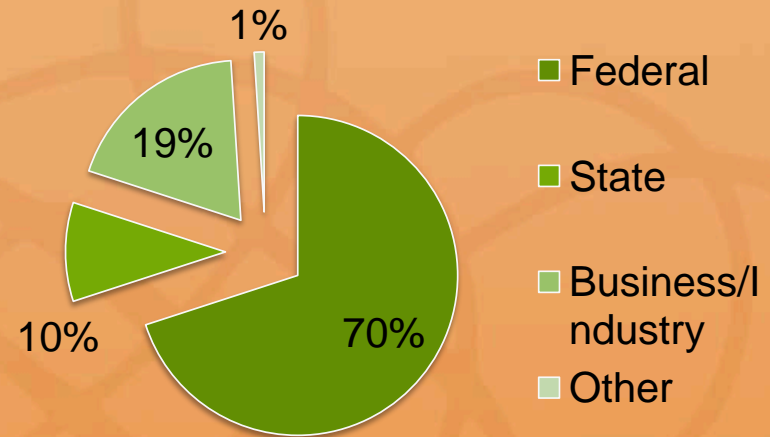


Sponsored Programs

FY 2009



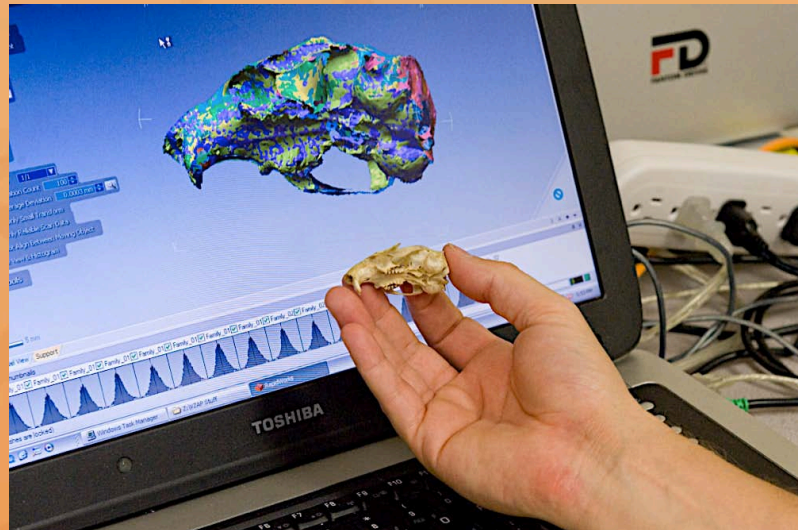
FY 2010



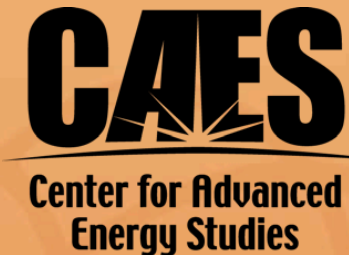
Sponsored Programs

Highlights Fiscal Year 2011

- College of Technology:
\$1.4 million “Idaho Renewable Energy Education”
- Family Medicine Residency Program:
\$960,000 “Primary Care Residency Expansion Program”
- Center for Archaeology, Materials & Applied Spectroscopy:
\$1.02 million “Virtual Zooarchaeology of the Arctic Project”



Collaboration



- Collaborations with 172 federal, state and local agencies, businesses and universities worldwide

Fulbright Scholars



Master of Arts student Garth Lambson will study the Irish language and folklore at the National University of Ireland in Galway.



Mike Adams, a Master of Fine Arts student, will study sculpture in Oslo, Norway.

Faculty Fulbright Scholars



Cynthia Pemberton, associate dean of the Graduate School and professor of educational leadership, will teach at the University of Malta, in Misida, Republic of Malta.



Chikashi Sato, professor of environmental engineering, will teach and conduct research at Tribhuvan University in Nepal.

Students Come First

- Career Path Internship Program — offering students paid work experience in their fields of study
- Streamlined registration and fee payment
- “Living Learning” residence hall communities



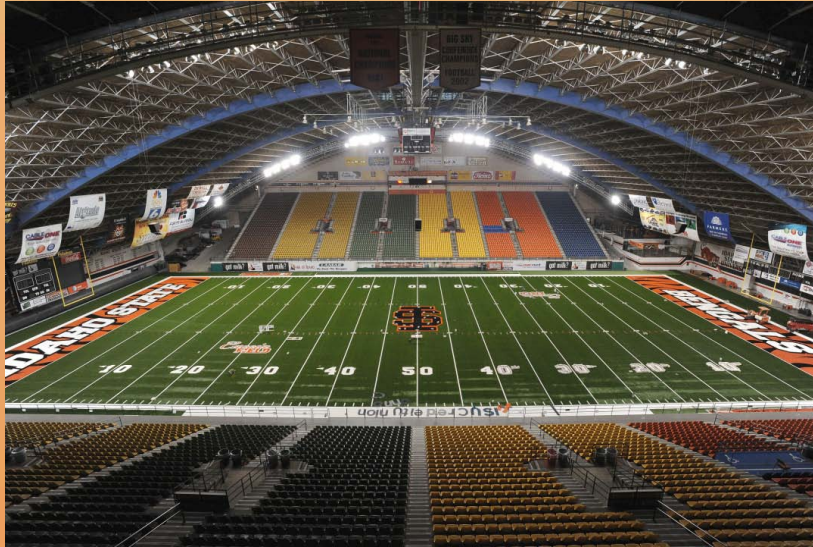
Idaho State
UNIVERSITY

Veterans' Sanctuary



- 48 percent increase in veteran students since 2009
- Veteran-to-veteran tutoring and support
- Centralized services for tutoring and job assistance
- Rural and Native American outreach

Supporting Student Athletes



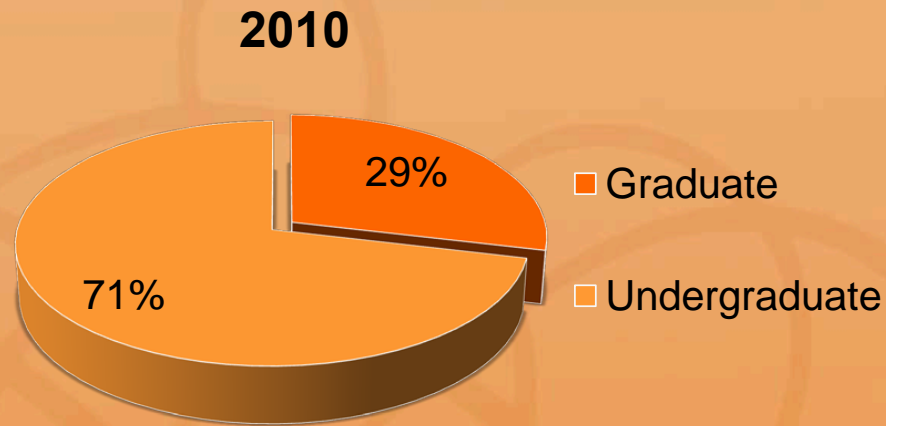
- New NCAA Division I Women's Softball Field
- New football turf
- Remodeled locker rooms for volleyball, softball and women's basketball
- Remodeled basketball court



Student Headcount

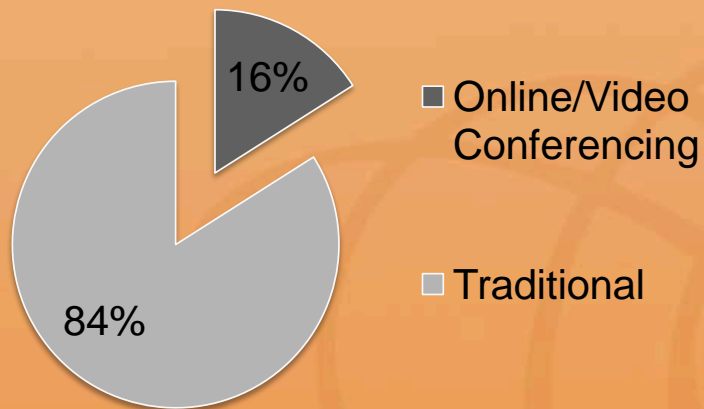
	FY 2008	FY 2009	FY 2010	FY 2011
Total Headcount (unduplicated)	17,755	18,225	19,097	18,640
Total Student FTE	9,862	10,132	10,973	11,021
Total Credit Hours	285,069	292,542	317,005	318,263
Degrees Awarded:				
Undergraduate	1,140	1,143	1,192	1,175
Graduate	<u>471</u>	<u>504</u>	<u>571</u>	<u>547</u>
Total Academic	1,611	1,647	1,763	1,722
PTE	<u>429</u>	<u>388</u>	<u>382</u>	<u>433</u>
Total All Degrees	2,040	2,035	2,145	2,155

Academic Degrees Awarded



Transforming Learning

Percent of Classes Online



*Fall 2010 end of semester



Staff Distribution

FY 2010			FY 2012		Difference		FY 2012 % of Total	
All Funds Total	FTE	Salary and Benefits	FTE	Salary and Benefits	FTE	Salary and Benefits	FTE	Salary and Benefits
Instructor/Academic Support	952.32	\$80,604,859	963.42	81,814,927	11.10	\$1,210,068	54.72%	58.10%
Research/Contracts	208.20	17,952,366	194.94	20,303,596	-13.26	2,351,230	11.07%	14.42%
Public Service	7.70	521,716	7.10	448,576	-0.60	-73,140	0.40%	0.32%
Student Services	103.46	6,233,867	113.38	8,029,545	9.92	1,795,678	6.44%	5.70%
Physical Plant	140.25	6,336,392	136.25	6,087,065	-4.00	-249,327	7.74%	4.32%
Institutional Support	157.96	12,155,890	169.08	12,706,713	11.12	550,823	9.60%	9.02%
Athletics	45.61	3,249,175	48.56	3,335,797	2.95	86,622	2.76%	2.37%
Other Auxillary Enterprises	131.72	8,156,721	128.29	8,095,392	-3.43	-61,329	7.29%	5.75%
Total	1,747.22	\$135,210,986	1,761.02	\$140,821,611	13.80	\$5,610,625		

Improving Health Care



- 12 University clinics — 40,000 patient visits FY2011
- Community involvement
- Global outreach
- Translational research



Improving Health Care

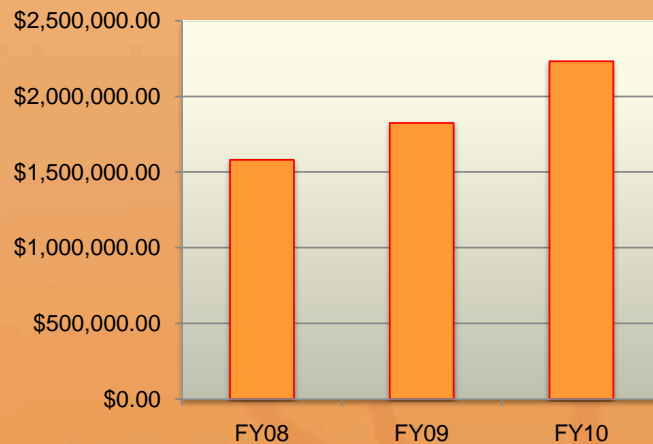
Dental Residency Program



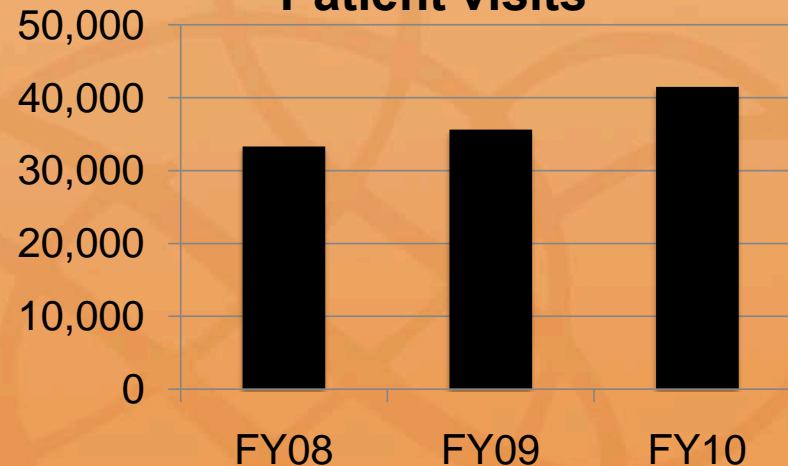
- The Dental Clinic has served more than 10,000 patients, mostly low-income, since 2005
- The \$1.5M renovation adds 5,200 square-feet of clinic space to the Meridian Health Sciences Center
- Delta Dental of Idaho Dental Residency Clinic will open August 2011

Outpatient Clinics

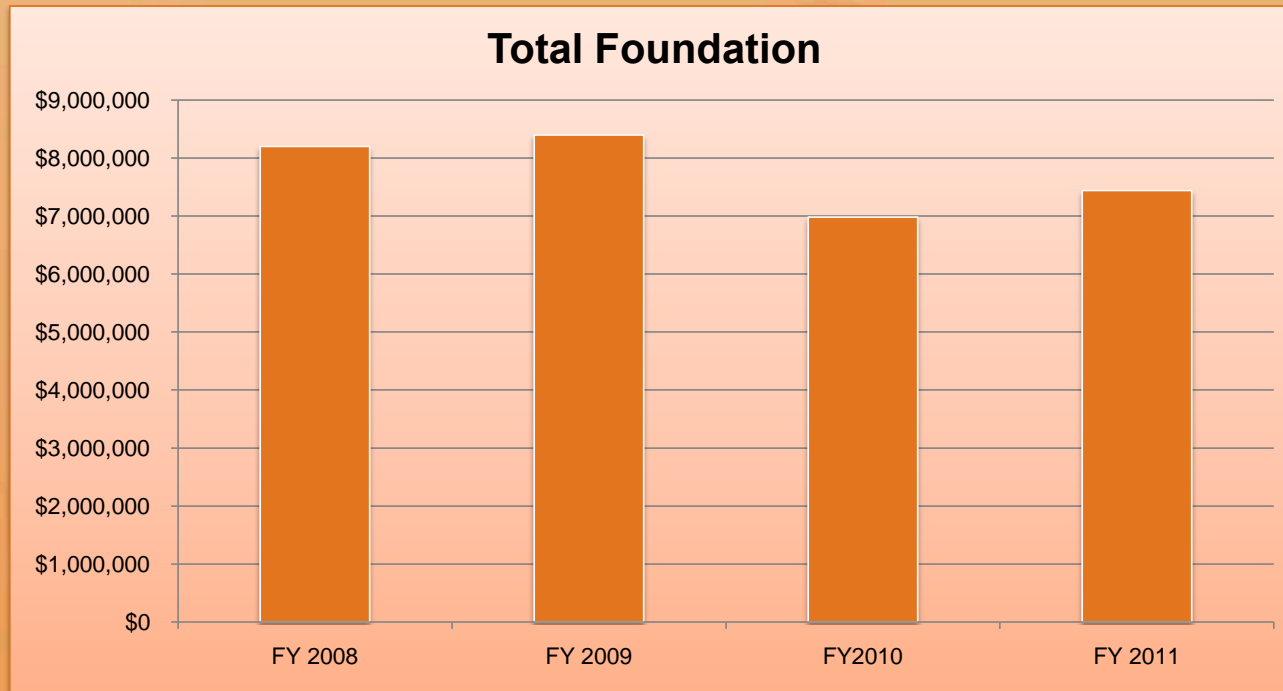
Gross Clinical Revenue



Patient visits



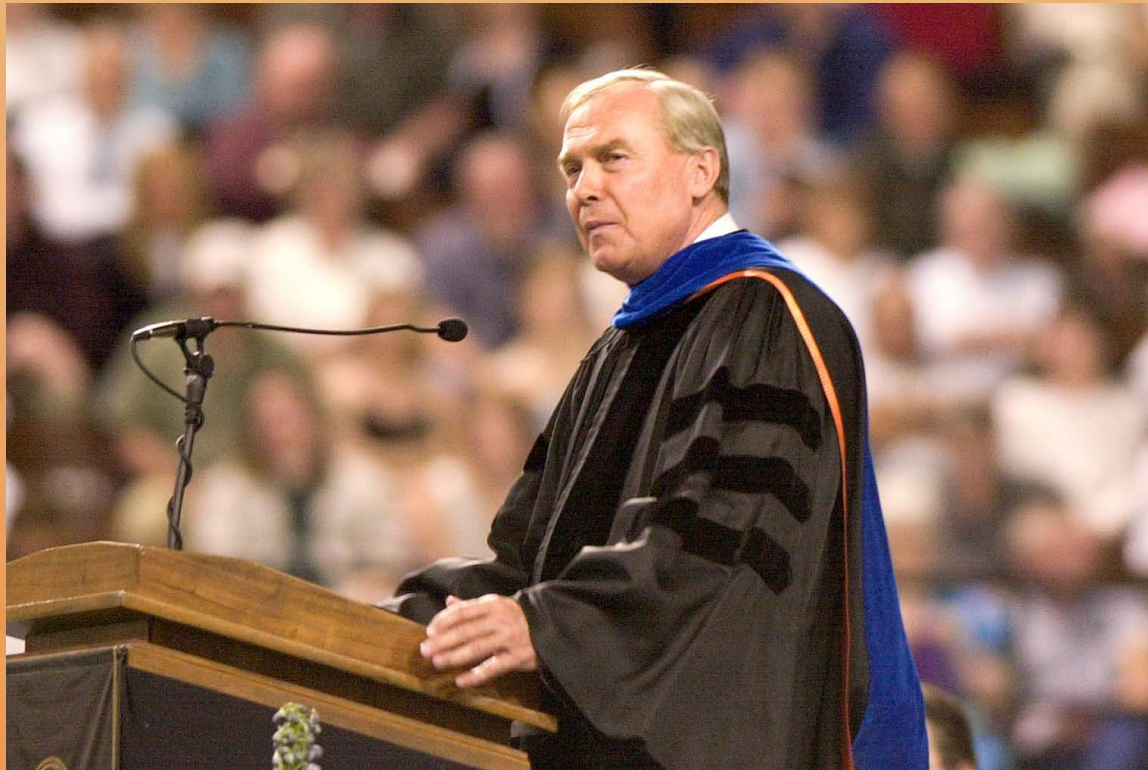
Fundraising



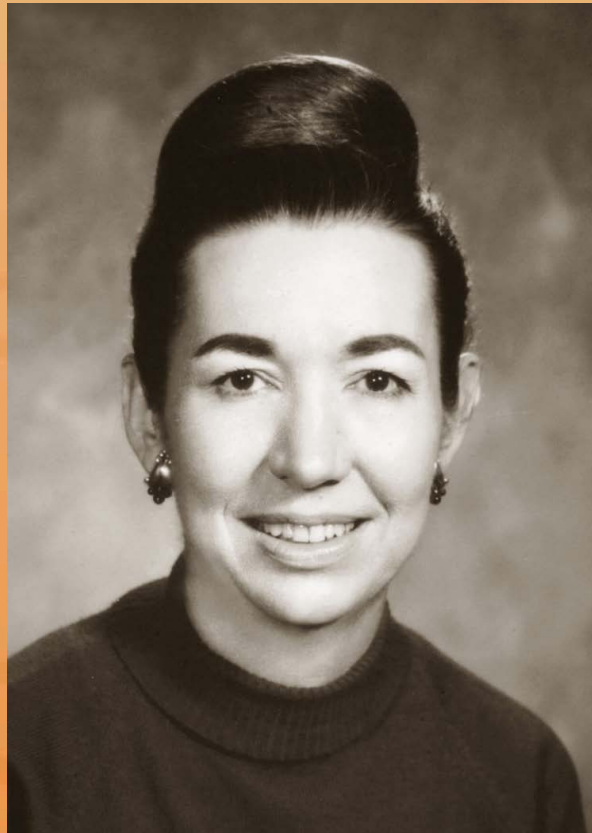
Jack and Lois Wheatley



John and Karen Huntsman



Beverly Bistline



Questions?



PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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SUBJECT

Idaho Public Television (IPTV)

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section I.M.3.

BACKGROUND/DISCUSSION

This agenda item fulfills the Board's requirement for IPTV to provide a progress report on the agency's strategic plan, details of implementation, status of goals and objectives and information on other points of interest in accordance with a schedule and format established by the Board's Executive Director.

Peter Morrill, General Manager of the Division of Idaho Public Television, will provide an overview of IPTV's progress in carrying out the agencies strategic plan.

BOARD ACTION

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IDAHO EDUCATION NETWORK

SUBJECT

The Idaho Education Network is providing an update on the project status. The IEN is near completing the connectivity to all Idaho high schools.

REFERENCE

August 2009

The Idaho Education Network was provided to the State Board of Education Members. At that time, the IEN implementation was in the early stages of year one, of a three year infrastructure roll out.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Statute 67-5745D and E

BACKGROUND/DISCUSSION

The Idaho Education Network (IEN) was created with the leadership of Governor C.L. "Butch" Otter, State Superintendent Tom Luna, the legislature and the J.A. and Kathryn Albertson Foundation in an effort to expand access to broadband connectivity and equalize education opportunities for students and communities throughout Idaho. The IEN is nearing the completion of Phase I of implementing the infrastructure and services for the state's high-speed, private education network to all high schools.

Because of our progress, we would like to provide an update on our work and successes thus far. There are many new opportunities being created for all global education consumers in Idaho because of the IEN. Many stakeholders are finding new ways, and revisiting old ones, to advance their education and careers through the IEN. From Sugar City to Sandpoint, schools are taking advantage of the many possibilities to serve students and communities.

The State Board of Education has worked diligently to advance opportunities for students by removing barriers and improving access. We want to continue to complement those goals and objectives set forth in your current strategic plan. We welcome this opportunity to address the State Board of Education to update the members and answer any questions that they may have.

IMPACT

The estimated costs for IEN's services on an annual basis are approximately \$8.3 million before E-rate reimbursement. The state appropriation required to fund the IEN is approximately \$2.6 million. The IEN consortium leverages E-rate reimbursement dollars to offset the costs of broadband connectivity provided to Idaho high schools. The reimbursement rate allocated by the E-Rate formula, which is 76%, gives the IEN increased purchasing power to help mitigate those ongoing costs.

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BOARD ACTION

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SUBJECT

Center for Sports Concussion

BACKGROUND/ DISCUSSION

During the 2010 Legislative Session, The Board supported House Bill #676 which dealt with the issue of concussions, especially in younger athletes. The legislation directed the Board to provide information, forms and other guidelines related to concussion education on its website, which we did in advance of the required date.

The law, which is known as Kort's Law, was the result of work done by Dr. Caroline Faure at Idaho State University who has been a regional and national leader in this field.

Concussion continues to be one of the most serious and catastrophic injury risks in all of sport. Youth and adolescent athletes are the most susceptible. In the past eight years, three East Idaho teenagers, alone, have suffered catastrophic outcome as a result of sports concussion (2 died, the other has permanent brain damage). Many others suffer long term post-concussion symptoms including long-term depression, concentration deficits, decreases in academic performance, loss of impulse control and even suicidal ideation. Concussion history has also been linked to chronic traumatic encephalopathy, a progressive degenerative brain disease and early onset of Alzheimer's. Through educational outreach and proper concussion identification and management, these risks can be minimized.

Funded by grants from the Wal-Mart Foundation, The Center for Sports Concussion has emerged as the regional authority for school and youth sport programs. We provide free educational outreach on concussion education statewide with a concentration on Idaho's school sports programs. Utilizing a network of physicians for referral, the Center also offers free pre-season and baseline post-concussion assessment using ImPACT neurocognitive software on a regional level. Our knowconcussion.org website receives tens of thousands of hits each year... and we are just rolling out a new concussion certification course so that all coaches, parents and athletes can now receive certification through ISU's Center for Sports Concussion. The site will also allow us to keep a database of all coaches who complete the course requirements.

An Update on Concussion Legislation:

While we fell short of hitting all of our intended target, last year's legislative effort to protect adolescent athletes from concussion has sparked a tremendous response statewide. The IHSA and others have enacted with new regulations for coaches and ISU's Center for Sports Concussion and our knowconcussion.org website continue to provide the latest educational materials to the schools at no cost to them.

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It is our hope that the state legislature and/or the Board will enact stricter regulations concerning athlete safety in the very near future. Specifically our goal is that Idaho matches the standards established by more than 35 other states in a) requiring all coaches, parents and athletes to receive education on concussion identification and management practices, b) require all athletes who sustain a concussion or who exhibit the signs, symptoms or behaviors consistent with the injury be immediately removed from play, and c) require written clearance from an appropriate health care provider before any athlete who sustains such an injury be allowed to resume physical activity. We also hope to incorporate pre-season concussion testing (neurocognitive or balance) and concussion history as part of the pre-participation physical examination in every Idaho school.

BOARD ACTION

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PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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SUBJECT

Temporary Rule IDAPA 08.01.11 – Registration of Post-Secondary Education Institutions and Proprietary Schools

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative code, IDAPA 08.01.11
Section 33-2400, Idaho Code

BACKGROUND/DISCUSSION

The proposed changes to IDAPA 08.01.11 incorporate the language previously approved by the Board referencing the new enforcement section in section 33-2400, Idaho code and student complaint processes. Additionally, clarifying language has been added to the registration requirement for start-up entities, the definition of Idaho presence, and approval standards for proprietary schools.

The current language allowed for an approval process for postsecondary institutions which were not accredited. This section has been removed requiring all postsecondary institutions to be accredited by a national accreditation organization that is recognized by and in good standing with both the United States Department of Education and by the Council for Higher Education Accreditation in order to register.

IMPACT

The proposed changes will clarify the rule for those entities that are required to register with the state.

ATTACHMENTS

Attachment 1 – Proposed Rule IDAPA 08.01.11

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

Proposed rules have a 21 day comment period prior to becoming Pending rules. Based on received comments and Board direction, changes may be made to Proposed rules prior to entering the Pending stage. All Pending rules will be brought back to the board for approval prior to submittal to the Department of Administration for publication in the Idaho Administrative Rules Bulletin as a Pending Rule. Pending rules become effective at the end of the legislative session in which they are submitted.

Staff recommends approval.

BOARD ACTION

I move to approve the Temporary Rule changes to IDAPA 08.01.11 as submitted.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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IDAPA 08
TITLE 01
CHAPTER 11

**08.01.11 - REGISTRATION OF POST-SECONDARY EDUCATIONAL INSTITUTIONS
AND PROPRIETARY SCHOOLS**

000. LEGAL AUTHORITY.

The following rules are made under authority of Sections 33-105, 33-107, 33-2402, and 33-2403, Idaho Code, to implement the provisions of Chapter 24, Title 33, Idaho Code. (4-9-09)

001. TITLE AND SCOPE.

01. Title. This rule shall be cited as IDAPA 08.01.11, "Registration of Post-Secondary Educational Institutions and Proprietary Schools." (4-9-09)

02. Scope. This rule sets forth the registration requirements for post-secondary educational institutions that are required to register with the Idaho State Board of Education ("Board") under Section 33-2402, Idaho Code, and for proprietary schools required to register with the Board under Section 33-2403, Idaho Code. In addition, this rule describes the standards and criteria for Board recognition of accreditation organizations, for registration purposes. (4-9-09)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of this rule. (4-9-09)

003. ADMINISTRATIVE APPEALS.

The Administrative Procedures Act, Chapter 52, title 67, Idaho Code, applies to any denial of registration of any post-secondary educational institution or proprietary school. Hearings and appeals shall be governed according to the provisions of IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (4-9-09)

004. INCORPORATION BY REFERENCE.

There are no documents incorporated by reference. (4-9-09)

005. OFFICE INFORMATION.

01. Office Hours. The offices of the Board are open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. (4-9-09)

02. Mailing Address. The mailing address of the Board is P.O. Box 83720, Boise, Idaho 83720-0037. (4-9-09)

03. Street Address. The offices of the Board are located at 650 W. State Street, Boise, Idaho. (4-9-09)

04. Telephone. The telephone number of the Board is (208) 334-2270. (4-9-09)

05. Facsimile. The facsimile number of the Board is (208) 334-2632. (4-9-09)

06. Electronic Address. The electronic address of the [Board](#). (4-9-09)

006. PUBLIC RECORDS ACT COMPLIANCE.

This rule is subject to the provisions of the Public Records Act, Title 9, Chapter 3, Idaho Code. (4-9-09)

007. -- 009. (RESERVED).

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010. DEFINITIONS.

01. Accredited. Defined in Section 33-2401(1), Idaho Code, and means that a post-secondary educational institution has been recognized or approved as meeting the standards established by an accrediting organization recognized by the Board. (4-9-09)

02. Agent. Defined in Section 33-2401(2), Idaho Code, and means any individual within the state of Idaho who solicits students for or on behalf of a proprietary school. (4-9-09)

03. Agent's Certificate of Identification. Defined in Section 33-2401(3), Idaho Code, and means a nontransferable written document issued to an agent by the proprietary school that the agent represents. (3-29-10)

04. Course. Defined in Section 33-2401(5), Idaho Code, and means instruction imparted in a series of lessons or class meetings to meet an educational objective. (4-9-09)

05. Course or Courses of Study. Defined in Section 33-2401(6), Idaho Code, and means either a single course or a set of related courses for which a student enrolls, either for academic credit or otherwise. A course of study is sometimes also referred to in this rule as a program. (4-9-09)

06. Degree. Defined in Section 33-2401(7), Idaho Code, and means any written or any academic title that contains, in any language, the word "associate," "bachelor," "baccalaureate," "masters," "doctor," or any abbreviation thereof, and that indicates or represents, or is intended to indicate or represent, that the person named thereon, in the case of any writing, or the person it is awarded thereto, in the case of any academic title, is learned in or has satisfactorily completed a prescribed course of study in a particular field or that the person has demonstrated proficiency in any field of endeavor as a result of formal preparation or training. (3-29-10)

07. Nonprofit. Means an entity that is recognized under the Internal Revenue Code and applicable regulations as being tax exempt, or an entity such as a nonprofit or not-for-profit organization that possesses the following characteristics that distinguish it from a business enterprise: (a) contribution of significant amounts of resources from resource providers who do not expect commensurate or proportionate pecuniary return, (b) operating purposes other than to provide goods or services at a profit, and (c) absence of ownership interests like those of business enterprises. (4-9-09)

08. Post-Secondary Educational Institution. Sometimes referred to in this rule simply as an institution, is defined in Section 33-2401(8), Idaho Code, and means an individual, or educational, business or other entity, whether legally constituted or otherwise, which maintains a presence within, or which operates or purports to operate, from a location within, the state of Idaho, and which provides a course or courses of study that lead to a degree, or which provides, offers or sells degrees. (4-9-09)

09. Proprietary School. Sometimes referred to in this rule simply as a school, is defined in Section 33-2401(9), Idaho Code, and means an individual, or educational, business or other entity, whether legally constituted or otherwise, which maintains a presence within, or which operates or purports to operate, from a location within the state of Idaho and which conducts, provides, offers or sells a course or courses of study, but which does not provide, offer or sell degrees. (4-9-09)

011. -- 099. (RESERVED).

100. RECOGNITION OF ACCREDITATION ORGANIZATIONS.

For purposes of registration of post-secondary educational institutions, the Board recognizes the regional and ~~institutional~~ national accreditation organizations that are recognized by and in good standing with both the United States Department of Education and by the Council for Higher Education Accreditation, and which accredit entire colleges or universities; and which do not accredit only courses or courses of study (such as specialized accreditation organizations). Further, the Board may recognize other accreditation organizations on a case-by-case basis. A request for recognition of other accreditation organizations for purposes of registration should be made to the Board's Chief Academic Officer, who will review and evaluate the request with the input and advice of the Board's Committee on Academic Affairs and Programs (CAAP). The Board will make a final decision based on such

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evaluation and review.

(4-7-11)

101. -- 199. (RESERVED).

200. REGISTRATION OF POST-SECONDARY EDUCATIONAL INSTITUTIONS.

01. Delegation. Section 33-2403, Idaho Code, provides that a post-secondary educational institution must hold a valid certificate of registration issued by the Board. The Board delegates authority to its executive director, or his designee, and the Office of the State Board of Education to administer the registration of post-secondary educational institution, in accordance with Title 33, Chapter 24, Idaho Code, and this rule. (4-7-11)

02. Registration Requirement. (4-9-09)

a. Unless exempted by statute or this rule, as provided herein, a post-secondary educational institution which maintains a presence within the state of Idaho, or that operates or purports to operate from a location within the state of Idaho, shall register and hold a valid certificate of registration issued by the Board. An institution shall not conduct, provide, offer, or sell a course or courses of study, or degree unless registered. ~~An institution shall not solicit students on behalf of such institution, or advertise in this state, unless registered.~~ (3-29-10)

b. Registration shall be for the period beginning on the date a certificate of registration is issued and continue through June 30 of the next succeeding year. A registered post-secondary educational institution must renew its certificate of registration annually, and renewal of registration is not automatic. (3-29-10)

c. Renewal of registration shall be for the period beginning on July 1 of any year, and continue through June 30 of the next succeeding year. (4-9-09)

~~**d.** A new or start-up entity that desires to operate as a postsecondary educational institution in Idaho but which is not yet accredited by an accreditation organization recognized by the Board must register and operate as a proprietary school until accreditation is obtained. A new or start-up entity that is accredited and authorized to operate in another state, and which desires to operate as a postsecondary educational institution in Idaho offering degrees for which specialized program accreditation is required, may be granted approval to operate subject to the successful attainment of such program accreditation within the regular program accreditation cycle required by the accreditor.~~

~~**e.** There is no inherent or private right to grant degrees in Idaho. That authority belongs only to institutions properly authorized to operate in Idaho under these rules.~~

03. Idaho Presence.

a. An institution shall be deemed to have a presence in Idaho, or to be operating or purporting to be operating from a location within the state of Idaho, if it owns, rents, leases, or uses any office or other type of physical location in Idaho, including a mailing or shipping center, or if it represents in any way, such as on an electronic or Internet website, to have an Idaho street or mailing address, including a post office box in Idaho, for purposes of conducting, providing, offering or selling a course or courses of study or degrees. (4-9-09)

~~**b.** Idaho presence shall include medical/osteopathic education clinical instruction occurring in the state of Idaho as part of a course of study leading to a degree pursuant to a formal arrangement or agreement between such clinic and an institution providing medical/osteopathic education instruction.~~

~~**c.** Idaho presence shall not include:~~

~~**i)** distance or online education delivered by an institution located outside of the state of Idaho to students in this state when the institution does not otherwise have physical presence in Idaho, as provided in Subsection 03.a of this rule;~~

~~**ii)** medical education instruction occurring in the state of Idaho by an institution pursuant to a medical education program funded by the state of Idaho;~~

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iii) internship or cooperative training programs occurring in the state of Idaho where students are employed by or provide services to a business or company in this state and receive course credit from an institution related to such activities; or

iv) activities limited to the recruiting or interviewing of applicants or potential students in the state of Idaho, whether conducted by a compensated employee, agent, or representative of an institution, or by volunteer alumnus of an institution, even if such individual is physically located in this state.

04. Institutions Exempt from Registration.

(4-9-09)

a. Idaho public post-secondary educational institutions. Section 33-2402(1), Idaho Code, provides that a public institution supported primarily by taxation from either the state of Idaho or a local source in Idaho shall not be required to register. (4-9-09)

b. Certain Idaho private, ~~not for~~ nonprofit, post-secondary educational institutions. A private, nonprofit, post-secondary educational institution that is already established and operational as of ~~the effective date of this rule~~ the date when this rule first went into effect (Brigham Young University – Idaho, College of Idaho, Northwest Nazarene University, New Saint Andrews College, Boise Bible College), and located within the state of Idaho, and that is accredited by an accreditation organization recognized by the Board, as set forth in Section 100 of this rule, shall not be required to register. A private, nonprofit, institution is located within the state of Idaho only if it has been lawfully organized in the state of Idaho and its principal place of business is located within the state of Idaho. An institution exempt under this subsection may voluntarily register by following the procedure for registration provided herein. (4-9-09)

c. Idaho religious institutions. A religious institution located within the state of Idaho that is owned, controlled, operated and maintained by a religious organization lawfully operating as a nonprofit religious corporation and that grants only religious degrees shall not be required to register.

05. Institutions that Must Register. Unless exempt under subsection 200.04 of this rule, any entity that desires to operate as a postsecondary educational institution in Idaho must register as provided herein.

~~a. Out of state public post secondary educational institutions. A public institution that is supported primarily by taxation from another state, or from a local source not within the state of Idaho, must register as provided herein.~~ (4-9-09)

~~b. Out of state private, nonprofit, post secondary educational institutions. An out of state private, nonprofit, post secondary educational institution must register as provided herein.~~ (4-9-09)

~~c. Certain Idaho private, nonprofit, post secondary educational institutions. A private, nonprofit, post secondary educational institution that is located within the state of Idaho, but that is not exempt under Subsection 200.04.b. of this rule, must register as provided herein.~~ (4-9-09)

~~d. For profit post secondary educational institutions. A post secondary educational institution that operates for profit, or which is an operating subsidiary of a publicly or privately held corporation that operates for profit, must register as provided herein.~~ (4-9-09)

~~**06. Alternative to Registration Requirement for Certain Post-Secondary Institutions.**~~ (3-29-10)

~~a. A post secondary educational institution that demonstrates to the satisfaction of the Board that its primary mission and objectives are to offer courses or courses of study that do not lead to the awarding of degrees, may instead register as a proprietary school, in accordance with Section 300 of this rule.~~ (4-9-09)

~~b. A request to register as a proprietary school must be submitted in writing to the Board by the first business day of December preceeding a registration year. A decision on such request will be issued by the Board within thirty (30) days after it is received. A request to register as a proprietary school must be made on an annual basis.~~ (4-9-09)

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076. Application. A post-secondary educational institution that is required to register under this rule must submit to the Board office an application for registration (either an application for initial registration or renewal of registration, as applicable), on the form provided by the Board office. The application must include a list of each course, course of study, and degree the applicant institution intends to conduct, provide, offer, or sell in Idaho during the registration year. (3-29-10)

087. Registration Fees. The Board shall assess an annual registration fee for initial registration or renewal of registration of a post-secondary educational institution. The registration fee must accompany the application for registration, and shall be in the amount of one-half of one percent (.5%) of the gross Idaho tuition revenue of the institution during the previous registration year, but not less than one hundred dollars (\$100) and not to exceed five thousand dollars (\$5,000). The institution must provide financial documentation to substantiate the amount of revenue reported. Registration fees are ~~not~~ nonrefundable. (4-7-11)

098. Deadline for Registration. An initial application for registration may be submitted to the Board at anytime. An institution should expect the Board's review process for an initial registration to take approximately three (3) to five (5) months. An application for renewal of registration must be submitted to the Board on or before the first business day of May that precedes ~~a~~ the registration year. The renewal will be processed within thirty (30) days. Institutions that do not adhere to this schedule and whose renewals are not processed by July 1st must cease all active operations until approval of registration is received. (4-9-09)

109. Information Required.

~~a.~~ An~~Such~~ application must include all the information requested on the application form, as well as the following information: (4-9-09)

~~a. — If an institution that is required to register under this rule is accredited by an accreditation organization recognized by the Board in Section 100 of this rule, Such institution must submit documentation demonstrating that it has received accreditation status, and that it will maintain its accreditation from such agency during the entire registration year. An institution that is so accredited qualifies for a streamlined registration process, and will not be required to submit information and/or documentation that documents compliance with Standards I through V, set forth in Section 201 of this rule. Such institution must submit the following information or documentation, or both, with its application for registration:~~ (3-29-10)

- i. Copy of most recent accreditation letter showing the period of approval; (4-7-11)
- ii. Current list of chief officers - e.g. president, board chair, chief academic officer, chief fiscal officer; (4-9-09)
- iii. Enrollment data for current and past two (2) years; (4-9-09)
- iv. Copy of annual audited financial statement; (4-9-09)
- v. Any additional information that the Board may request. (4-9-09)

~~b. — All other institutions applying for registration must submit information and/or documentation with its application for registration that documents compliance with all of the Standards I through V, set forth in Section 201 of this rule.~~ (3-29-10)

eb. The Board may, in connection with a renewal of registration, request that an institution only submit information that documents changes from the previous year, provided that the institution certifies that all information and/or documentation submitted in a previous registration year remains current. The annual registration fee, described in Subsection 200.087 of this rule, shall remain applicable. (3-29-10)

201. APPROVAL STANDARDS FOR POST-SECONDARY EDUCATIONAL INSTITUTIONS.

~~Except as provided in Subsection 200.10.a. of this rule, an institution applying for registration must meet, or demonstrate that it will meet, all of the following standards:~~ (4-9-09)

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~~01. Standard I – Legal Status and Administrative Structure. The institution must be in compliance with all local, state, and federal laws, administrative rules, and other regulations applicable to post-secondary educational institutions. (4-9-09)~~

~~a. The institution must have a clearly stated mission and objectives that are consistent with educational offerings under consideration for approval by the Board. The institution must demonstrate how its stated mission and objectives are being accomplished. (4-9-09)~~

~~b. The governing board or the board of directors must be comprised of at least five (5) members who are selected to represent students, faculty, and other constituents of the institution. Board members must be given the responsibility for assuring that the mission and objectives are achieved, for establishing policies and overseeing their implementation, and for providing oversight for the entire institution, including the financial stability of the institution. Board members should generally not be affiliated with the institution from an employment, contractual, familial, or financial standpoint. Any affiliation or financial interest in the institution must be fully disclosed, and provisions must be made to address any conflicts of interest. (4-9-09)~~

~~c. There must be sufficient distinction between roles and responsibilities of the institution's governing board and the administration, faculty, and staff to ensure appropriate separation and independence. (4-9-09)~~

~~d. Each of the administrative officers must be appropriately qualified with educational credentials to ensure programs are of high quality and that the rights of students are protected. In particular, the chief academic officer of the institution must be academically prepared at least at the Master's degree level, and have a minimum of five (5) years of post-secondary educational experience at an accredited institution. (4-9-09)~~

~~e. Administrators must be paid a fixed salary. Commissions may not be used for any portion of the compensation or to supplement an administrative salary. (4-9-09)~~

~~f. Policies must have been established to govern admissions, hiring procedures, and working conditions; evaluation/assessment of all employees and instructional offerings; awarding of credit and grades that are comparable to other institutions; academic freedom; student and faculty rights and responsibilities; grievance procedures; approval of the curriculum and other academic procedures, etc.; to ensure the quality of educational offerings. (4-9-09)~~

~~g. The administration must establish procedures for evaluating the effectiveness of the entire institution and for assessing the quality of instruction through established and recognized methods of instructional assessment. Evaluation and assessment results must be used to improve institutional programs and services. Evaluative/assessment processes must involve internal constituents from the institution and appropriate external representatives. (4-9-09)~~

~~02. Standard II – Educational Program and Curriculum. Instruction must be the primary focus of the institution, and all instructional activities must be clearly related to the achievement of the institution's mission and objectives. (4-9-09)~~

~~a. The requirements for all instructional programs must be defined clearly, including applicable completion requirements for courses, credits, and clinicals. Faculty must be given the responsibility for developing the curriculum for all courses or courses of study or degrees, designing effective learning strategies for students, identifying and organizing all instructional materials and specialized facilities, identifying instructional assessment methods, and evaluating the effectiveness of the course offerings. (4-9-09)~~

~~b. The institution must identify the number of credits required to earn a degree based on the following guidelines. Forty-five (45) clock hours of student involvement are required for each semester credit, which includes a minimum of fifteen (15) student contact hours for each semester credit. Degrees are: (4-9-09)~~

~~i. Associate of Applied Science Degree. A credential awarded for completion of requirements~~

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~~entailing at least two (2) years, but less than four (4) years, of full-time professional technical study with a minimum of sixty (60) semester credits (includes a minimum of sixteen (16) general education credits) and includes mastery of specific competencies drawn from requirements of business/industry; (4-9-09)~~

~~ii. Associate Degree. A credential awarded for completion of requirements entailing at least two (2) years, but normally less than four (4) years, of full-time academic work; (4-9-09)~~

~~iii. Baccalaureate Degree. A credential awarded for completion of requirements entailing at least four (4) years of full-time academic work; (4-9-09)~~

~~iv. Master's Degree. A credential awarded for completion of requirements entailing at least one (1) year, but normally not more than two (2) years, of full-time academic work beyond the baccalaureate degree, including any required research; and (4-9-09)~~

~~v. Doctoral Degree. A credential awarded for completion of requirements entailing at least three (3) years of full-time academic work beyond the baccalaureate degree, including any required research. (4-9-09)~~

~~vi. Written course descriptions must be developed for all courses and for all courses within a program or degree and include the following: course overview, learning objectives and outcomes, course content, assessment, and grading criteria. A written inventory must be maintained for all course descriptions, and course descriptions must be provided to the faculty. Faculty must be expected to follow course descriptions. A syllabus must be developed for each course and distributed to students at the beginning of the course. (4-9-09)~~

~~vii. For each course or courses of study leading to a degree, the institution shall assure that such courses will be offered with sufficient frequency to enable students to complete the courses of study and degree within the minimum time for completion. (4-9-09)~~

~~**03. Standard III – Student Support Services.** The institution must have clearly defined written policies that are distributed to students through a variety of print and electronic means. Policies must address students' rights and responsibilities, grievance procedures, and must define what services are available to support students and instructional programs. (4-9-09)~~

~~a. The institution must develop a written admissions policy. The admission of students must be determined through an orderly process using published criteria which must be uniformly applied. Admissions must take into account the capacity of the student to undertake a course of study and the capacity of the institution to provide instructional and other support services the student needs to complete the program. (4-9-09)~~

~~b. There must be a clearly defined policy for the readmission of students dismissed from the institution for academic reasons. The readmission of students dismissed under this policy should be consistent with the recognized academic standards of admission to the institution. (4-9-09)~~

~~c. The institution must establish and adhere to a clear and fair policy regarding due process in disciplinary matters, and publish this policy in a handbook, which must include other rights and responsibilities of the students and the grievance procedure. This handbook must be supplied to each student upon enrollment in the institution. The institution must provide the name and contact information for the individual who is responsible for dealing with student grievances and other complaints and for handling due process procedures. (4-9-09)~~

~~d. The institution must provide an effective program of academic advising for all students enrolled. The program must include orientation to the academic program, academic and personal counseling, career information and planning, placement assistance, and testing services. (4-9-09)~~

~~e. The institution must provide students, prospective students prior to enrollment, and other interested persons with a catalog containing, at a minimum, the following information: (4-9-09)~~

~~i. The institution's mission; (4-9-09)~~

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- ~~ii. Admissions policies; (4 9 09)~~
- ~~iii. Information describing the purpose, length, and objectives for the courses or courses of study or degrees offered by the institution; (4 9 09)~~
- ~~iv. Credit requirements for all courses or courses of study or degrees offered by the institution; (4 9 09)~~
- ~~v. Procedures for awarding credit for work completed outside the collegiate setting; (4 9 09)~~
- ~~vi. Policies for acceptance of transfer credit; (4 9 09)~~
- ~~vii. The schedule of tuition, fees, and all other charges and expenses necessary for completion of the courses or courses of study or degrees; (4 9 09)~~
- ~~viii. Cancellation and refund policies; (4 9 09)~~
- ~~ix. A definition of the unit of credit as it applies at the institution; (4 9 09)~~
- ~~x. An explanation of satisfactory progress, including an explanation of the grading/assessment system; (4 9 09)~~
- ~~xi. The institution's calendar, including the beginning and ending dates for each instructional term, holidays, and registration dates; (4 9 09)~~
- ~~xii. A complete listing of each regularly employed faculty member showing name, area of assignment, rank, and each earned degree held, including degree level, degree designation, and institution that awarded the degree; (4 9 09)~~
- ~~xiii. A complete listing of each administrator showing name, title, area of assignment, and each earned degree held, including degree level, degree designation, and institution that awarded the degree; (4 9 09)~~
- ~~xiv. A statement of legal control with the names of the trustees, directors, and officers of the institution or corporation or other entity; (4 9 09)~~
- ~~xv. A complete listing of all scholarships offered, if any; (4 9 09)~~
- ~~xvi. A statement describing the nature and extent of available student services; (4 9 09)~~
- ~~xvii. Complete and clearly stated information about the transferability of credit to other post secondary educational institutions, including two (2) year and four (4) year colleges and universities; and (4 9 09)~~
- ~~xviii. Any such other material facts concerning the institution and the courses or courses of study as are reasonably likely to affect the decision of the student to enroll at the institution. (4 9 09)~~
- ~~f. Accurate and secure records must be kept for all aspects of the student academic record including, at a minimum, admissions information, transcripts, and financial transactions. Standards established by the American Association of Collegiate Registrars and Admissions Officers (AACRAO) must be used as a basis for establishing, maintaining, securing, and retaining student records. (4 9 09)~~
- ~~g. The institution must provide to each prospective student, newly enrolled student, and returning student, complete and clearly presented information indicating the institution's current graduation rate by courses of study, and job placement rate by course of study. (4 9 09)~~
- ~~04. **Standard IV – Faculty Qualifications, Duties, and Compensation.** Faculty qualifications must be clearly defined for each discipline and the assigned location for each faculty member must be identified. (4 9 09)~~

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~~_____a._____ Faculty must be qualified through academic preparation appropriate to their assigned classes and degree level. For bachelor degree programs, faculty must have a master's degree from an accredited institution. At the graduate level, faculty must have a doctoral degree from an accredited institution. Relevant teaching experience or evidence to indicate they will be successful in the classroom must also be considered. Relevant work experience must also be considered. Transcripts for all faculty must be obtained, reviewed, and retained at the institution. Faculty must be recruited from a variety of institutions and backgrounds to enhance diversity and to avoid hiring a disproportionate number of individuals who are graduates of institutional programs. (4 9 09)~~

~~_____b._____ There shall be a sufficient number of full time faculty members to maintain the continuity and stability of academic programs and policies. At least one (1) full-time faculty must be located in Idaho for each course or courses of study or degree, unless the institution can demonstrate specifically why this is not feasible, and identify what provisions have been, or will be, made to serve students effectively. (4 9 09)~~

~~_____c._____ A group of faculty must be organized and given responsibility in conjunction with the institution's chief academic officer for reviewing and approving all courses and courses of study and degrees offered by the institution. This group must also be responsible for overseeing instructional assessment activities and setting standards for program review/evaluation. The group must be of sufficient size to effectively represent a variety of instructional disciplines and faculty perspectives. (4 9 09)~~

~~_____d._____ The ratio of faculty to students in each course must be sufficient to assure effective instruction. (4 9 09)~~

~~_____e._____ Faculty must be paid a fixed salary. Commissions may not be used for any portion of the compensation, to supplement faculty salaries, or be connected to recruitment or retention of students. (4 9 09)~~

~~_____f._____ Procedures for evaluating faculty must be established, including provisions for promoting faculty and recognizing scholarly contributions to their academic discipline. (4 9 09)~~

~~_____g._____ A faculty development program must be established to encourage professional advancement and to enhance one's knowledge and instructional expertise. (4 9 09)~~

~~_____05._____ **Standard V – Resources, Financial Resources, and Facilities.** The institution must have adequate financial resources to accomplish its educational mission and objective. (4 9 09)~~

~~_____a._____ A financial officer in a managerial position must be designated for the institution and given responsibility for overseeing all of the financial aspects of the institution. (4 9 09)~~

~~_____b._____ Adequate financial resources must be provided to accomplish the institutional mission and to effectively support the instructional programs, including teaching facilities (i.e., classrooms, labs), instructional materials, supplies and equipment, faculty, staff, library, and the physical and instructional technology infrastructure. (4 9 09)~~

~~_____c._____ The institution must have sufficient reserves so that, together with tuition and fees, it is able to complete its educational obligations to currently enrolled students, even if it were unable to admit any new students. (4 9 09)~~

~~_____d._____ Financial records and reports of the institution must be kept and made separate and distinct from those of any affiliated or sponsoring person or entity. Financial records and reports at a public or not for profit institution must be kept in accordance with the most current guidelines from the National Association of College and University Business Officers. Financial records and reports of a for profit institution must be kept in accordance with generally accepted accounting principles. A for profit institution must organize its reports and records under categories or cost centers comparable to accounting funds identified in the most current guidelines from the National Association of College and University Business Officers. (4 9 09)~~

~~_____e._____ An annual independent audit of all fiscal accounts of the educational institution must be authorized~~

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~~by the governing board, and must be performed by a properly authorized certified public accountant. (4-9-09)~~

~~**06. Standard VI – Library and Instructional Resources.** The institution must obtain and properly catalog library and other learning resources and make these resources readily available to its students and faculty. These holdings must be of sufficient quality and depth to support its mission and achievement of student and faculty learning objectives. (4-9-09)~~

~~**a.** The institution must have adequate library facilities for the library holdings, space for study, and workspace for the librarian and library staff. (4-9-09)~~

~~**b.** Library services and resources must be available for student and faculty use with sufficient regularity, and at appropriate hours, to support the mission of the institution and its instructional offerings. (4-9-09)~~

~~**c.** If the institution relies on other institutions or entities to provide library resources, or this is done through electronic means, the institution must demonstrate how these arrangements effectively meet the needs of students and faculty. These arrangements must be documented through written agreements. Student and faculty use must be documented and frequently evaluated to ensure quality services are being provided. (4-9-09)~~

~~**d.** The library must be administered by professionally trained staff supported by sufficient personnel. (4-9-09)~~

2021. THE BOARD MAY NOTIFY THE POST-SECONDARY EDUCATIONAL INSTITUTION OF ADDITIONAL INFORMATION REQUIRED.

If the Board is unable to determine the nature and activities of an institution on the basis of the information provided by the institution under this rule, then the Board may notify the institution of additional information that it will be required to provide in connection with the application for registration. (4-9-09)

01. Verification of Information. The Board may verify the accuracy of submitted information by inspection, visitation, or any other means it considers necessary. The applicant institution shall be responsible for any costs the Board incurs, including travel, associated with this review. (4-9-09)

02. Criteria for Approval of Registration. To be approved for registration, the institution must demonstrate that it is in compliance with Chapter 24, Title 33, Idaho Code and this rule. An institution must remain in compliance for the registration year. (4-9-09)

03. Public Information. All information submitted to the Board in connection with the application is ~~public information, and is~~ subject to disclosure as set forth in the Public Records Act, Title 9, Chapter 3, Idaho Code. (4-9-09)

04. Certificate of Registration or Exemption. (4-7-11)

a. A certificate of registration will be issued to a post-secondary educational institution that has paid its registration fee and has been approved under this rule. A certificate evidencing initial registration will be effective the date it is issued, and continue through June 30 of the next succeeding year. A renewal certificate will be for the period July 1 through June 30 of the next succeeding year. No institution that is registered with the Board shall advertise or represent in any manner that it is accredited by the Board. An institution may only represent that it is "Registered with the Idaho State Board of Education." Registration is not an endorsement of the institution or any of its courses, courses of study, or degrees. (4-7-11)

b. An institution exempt from registration under these rules may request a certificate of exemption.

~~**b.c.**~~ If a post-secondary educational institution wishes to offer additional courses, courses of study, or degrees during a registration year that were not included in its annual registration application to the Board, then the institution must submit a letter to the Board Office along with documentation of its accrediting agency's approval of those specific curriculum changes. (4-7-11)

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05. Disapproval and Appeal. If a post-secondary educational institution's request for initial registration, or renewal of registration, is disapproved by the Board, then the institution may appeal such decision in accordance with Chapter 52, Title 67, Idaho Code. The request must be in writing and made to the Board office within thirty (30) days of the date the institution is notified of the disapproval. (4-9-09)

06. Withdrawal of Approval. (4-9-09)

a. The Board may refuse to renew, or may revoke or suspend approval of, an institution's registration by giving written notice and the reasons therefore to the institution. The institution may request a hearing relating to such decision under IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (4-9-09)

b. Withdrawal of approval may be for one (1) or more of the following reasons: (4-9-09)

i. Violation of Chapter 24, Title 33, Idaho Code or this rule; (4-9-09)

ii. Providing false, misleading, deceptive, or incomplete information to the Board; (4-9-09)

iii. Presenting to prospective or current students information about the institution which is false, fraudulent, misleading, deceptive, or inaccurate in a material respect; ~~or~~ (4-9-09)

iv. Refusing to allow reasonable inspection or to supply reasonable information after a written request by the Board Office has been received; or (4-9-09)

v. Loss of accreditation status.

c. If any information contained in the application submitted by the institution becomes incorrect or incomplete, then the registered institution shall notify the Board office of such change within thirty (30) days. An institution that ceases operation during the course of a registration year shall immediately inform the Board Office of this event. (4-9-09)

203. -- 299. (RESERVED).

300. REGISTRATION OF PROPRIETARY SCHOOLS.

01. Delegation. Section 33-2403, Idaho Code, provides that a proprietary school must hold a valid certificate of registration issued by the Board. The Board delegates authority to its executive director, or his designee, and the Office of the State Board of Education to administer the registration of proprietary schools, in accordance with Title 33, Chapter 24, Idaho Code, and this rule. (3-29-10)

02. Registration Requirement. (4-9-09)

a. Unless exempted by statute or this rule, as provided herein, a proprietary school which maintains a presence within the state of Idaho, or which operates or purports to operate from a location within the state of Idaho, shall register annually and hold a valid certificate of registration issued by the Board. A school shall not conduct, provide, offer, or sell a course or courses of study unless registered. A school shall not solicit students for or on behalf of such school, or advertise in this state, unless registered. (3-29-10)

b. Registration shall be for the period beginning July 1 of any year and continue through June 30 of the next succeeding year. For a school that has not previously registered with the Board, registration shall be for the period beginning on the date of issuance of a certificate of registration and continue through June 30 of the next succeeding year. A registered proprietary school must renew its certificate of registration annually and renewal of registration is not automatic. (3-29-10)

c. Renewal of registration shall be for the period beginning on July 1 of any year, and continue through June 30 of the next succeeding year. (4-9-09)

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03. Idaho Presence.

a. A school shall be deemed to have a presence in Idaho, or to be operating or purporting to be operating from a location within the state of Idaho, or if it owns, rents, leases, or uses any office or other type of physical location in Idaho, including a mailing or shipping center, or if it represents in any way, such as on an electronic or Internet website, to have an Idaho street or mailing address, including a post office box in Idaho, for purposes of conducting, providing, offering or selling a course or courses of study or degrees. (4-9-09)

b. Idaho presence shall not include:

i) distance or online education delivered by an institution located outside of the state of Idaho to students in this state when the institution does not otherwise have physical presence in Idaho, as provided in Subsection 03.a of this rule;

ii) internship or cooperative training programs occurring in the state of Idaho where students are employed by or provide services to a business or company in this state and receive course credit from an institution related to such activities; or

iii) activities limited to the recruiting or interviewing of applicants or potential students in the state of Idaho, whether conducted by a compensated employee, agent, or representative of an institution, or by volunteer alumnus of an institution, even if such individual is physically located in this state.

04. Exemptions from Registration. The following individuals or entities are specifically exempt from the registration requirements of this rule: (4-9-09)

a. An individual or entity that offers instruction or training solely a vocational or recreational in nature, as determined by the Board. (4-9-09)

b. An individual or entity that offers courses recognized by the Board which comply in whole or in part with the compulsory education law. (4-9-09)

c. An individual or entity that offers a course or courses of study sponsored by an employer for the training and preparation of its own employees, and for which no tuition fee is charged to the student. (4-9-09)

d. An individual or entity which is otherwise regulated, licensed, or registered with another state agency pursuant to Title 54, Idaho Code. (4-9-09)

e. An individual or entity that offers intensive review courses designed to prepare students for certified public accountancy tests, public accountancy tests, law school aptitude tests, bar examinations or medical college admissions tests, or similar instruction for test preparation. (4-9-09)

f. An individual or entity offering only workshops or seminars lasting no longer than three (3) calendar days. (4-9-09)

g. A parochial or denominational institution providing instruction or training relating solely to religion and for which degrees are not granted. (4-9-09)

h. An individual or entity that offers post-secondary credit through a consortium of public and private colleges and universities under the auspices of the ~~w~~Western ~~g~~Governors University. (4-9-09)

i. An individual or entity that offers flight instruction and that accepts payment for services for such training on a per-flight basis after the training occurs, or that accepts advance payment or a deposit for such training in a de minimus amount equal to or less than fifteen (15) percent of the total course or program cost.

05. Application. A proprietary school that is required to register under this rule must submit to the Board office an application for registration (either an application for initial registration, or renewal of registration, as applicable), on a form provided by the Board office. The application must include a list of each course or courses of study the applicant school intends to conduct, provide, offer or sell in Idaho during the registration year. (3-29-10)

06. Registration Fees. The Board shall assess an annual registration fee for initial registration or

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renewal of registration. The registration fee must accompany the application for registration, and shall be one-half of one percent (.5%) of the gross Idaho tuition revenue of the school during the previous registration year, but not less than one hundred dollars (\$100) and not to exceed five thousand dollars (\$5,000). The school shall provide documentation to substantiate the amount of revenue reported. Registration fees are ~~not~~ nonrefundable. (3-29-10)

07. Deadline for Registration. An initial application for registration may be submitted to the Board at anytime. An institution should expect the Board's review process for an initial registration to take approximately three (3) to five (5) months. An application for renewal of registration must be submitted to the Board on or before the first business day of May that precedes ~~a~~ the registration year. The renewal will be processed within thirty (30) days. Institutions that do not adhere to this schedule and whose renewals are not processed by July 1st must cease all active operations until approval of registration is received. (3-29-10)

08. Information Required. Such application must include all the information requested on the application form. In addition, a school ~~applying for registration must submit information and/or documentation with its application for registration that documents~~ must attest by signature of the primary official on the application form that it is in compliance with Standards I through V set forth in Section 301 of this rule and must provide verification of compliance with Standards I through V set forth in Section 301 of this rule upon request. The Board may, in connection with a renewal of registration, request that a school only submit information that documents changes from the previous year, provided that the school certifies that all information and/or documentation submitted in a previous registration year remains current. The annual registration fee, described in Subsection 300.06 of this rule, shall remain applicable. (3-29-10)

301. APPROVAL STANDARDS FOR REGISTRATION OF PROPRIETARY SCHOOLS.

The Board and its designee accepts the responsibility for setting and maintaining approval standards for proprietary schools that plan to offer courses or a set of related courses in or from Idaho in order to protect consumers and to ensure quality educational programs are provided throughout the state. A school must meet all of the standards prior to issuance of a certificate of registration and the school must provide required evidence to document compliance with the standards as identified in the application form. A certificate of registration may be denied if all of the standards are not met. (4-9-09)

01. Standard I - Legal Status and Administrative Structure. The school must be in compliance with all local, state and federal laws, administrative rules, and other regulations applicable to proprietary schools. (4-9-09)

a. The school must have a clearly stated educational purpose that is consistent with the courses or a set of related courses under consideration for approval. (4-7-11)

b. The ownership of the school, its agents, and all school officials must be identified by name and title. (4-9-09)

c. Each owner, agent, instructor and/or school official must be appropriately qualified by the trade board (as applicable) to ensure courses are of high quality and the rights of students are protected. (4-9-09)

d. Written policies must be established to govern admissions and re-admission of dismissed students, hiring procedures, and working conditions; evaluation/assessment of all employees and instructional offerings; student and instructor rights and responsibilities; grievance procedures; approval of the curriculum and other academic procedures to ensure the quality of educational offerings. (4-7-11)

e. Procedures for assessing/evaluating the effectiveness of instruction must be established. Evaluation and assessment results must be used to improve courses or courses of study. (4-9-09)

f. All advertising, pamphlets, and other literature used to solicit students and all contract forms must accurately represent the purpose of the school, its courses or courses of study, anticipated job opportunities, and other relevant information to assist students in making an informed decision to enroll. The school must provide to each prospective student, newly-enrolled student, and returning student complete and clearly presented information

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indicating the school's current completion and job placement rate.

(4-7-11)

02. Standard II - Courses or Courses of Study. Instruction must be the primary focus of the school; ~~and all instructional activities must be clearly related to the achievement of the stated instructional objectives.~~ All courses or courses of study must prepare students to enter employment upon completion of the program or prepare them for self-employment. (4-9-09)

a. The requirements for each course or courses of study must be defined clearly including applicable completion requirements or other requirements such as practicums and clinicals. Courses or courses of study will follow applicable trade board training curriculum standards or be designed using effective learning strategies for students, identifying and organizing all instructional materials and specialized facilities, identifying instructional assessment methods, and evaluating the effectiveness of the course offerings. (4-9-09)

b. Written course descriptions must be developed for all courses or courses of study. ~~including: course overview, learning objectives and outcomes, course content, assessment, and grading criteria. A written inventory must be maintained for all course descriptions and~~ Written course descriptions must be provided to instructors. Instructors ~~must be~~ are expected to follow course descriptions. A syllabus must be developed for each course and distributed to students at the beginning of the course. (4-9-09)

c. The school must assure that a course or courses of study will be offered with sufficient frequency to enable students to complete courses or courses of study within the minimum time for completion. (4-9-09)

d. The school must clearly state the cost of each course or courses of study and identify the payment schedule. This information ~~must be provided in written form to students,~~ and the refund policy must ~~also~~ be given to students in writing. (4-9-09)

~~e. All advertising, pamphlets, and other literature used to solicit students and all contract forms must accurately represent the purpose of the school, its courses or courses of study, job opportunities, and other relevant information to assist students in making an informed decision to enroll. The school must provide to each prospective student, newly enrolled student, and returning student, complete and clearly presented information indicating the school's current completion and job placement rate.~~ (4-9-09)

03. Standard III - Student Support Services. The school must have clearly defined written policies that are ~~distributed readily available~~ to students ~~through a variety of print and electronic means.~~ Policies must address students rights and responsibilities, grievance procedures, and define what services are available to support students. (4-9-09)

a. ~~The school must develop a written admissions policy. The admission of students must be determined through an orderly process using published criteria which must be uniformly applied. Admissions must take into account the capacity of the student to undertake a course or courses of study and the capacity of the school to provide instructional and other support services the student needs to complete the program. The admission of students must be determined through an orderly process established in a written policy using published criteria which must be uniformly applied. Admissions decisions must take into account the capacity of the student to grasp and complete the instructional training program and the ability of the school to handle the unique needs of the students it accepts.~~ (4-9-09)

b. There must be a clearly defined policy ~~for the readmission of to re-evaluate~~ students dismissed from the school ~~and, if appropriate, to readmit them. The readmission of students dismissed under this policy must be consistent with the recognized standards of admission to the school.~~ (4-9-09)

c. The school must establish and adhere to a clear and fair policy regarding due process in disciplinary matters for all students, and publish this policy in a handbook, which must include other rights and responsibilities of the students and the grievance procedure. This handbook must be supplied given to each student upon enrollment in the school. The school must provide the name and contact information for the individual who is responsible for dealing with student grievances and other complaints and for handling due process procedures. (4-9-09)

d. ~~The school must provide written information to prospective students p~~Prior to enrollment all

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prospective students must receive the following information in writing~~to include the following:~~ (4-9-09)

- i. Information describing the purpose, length, and objectives of the courses or courses of study; (4-9-09)
- ii. Completion requirements for the courses or courses of study; (4-9-09)
- iii. The schedule of tuition, fees, and all other charges and all expenses necessary for completion of the courses or courses of study; (4-9-09)
- iv. Cancellation and refund policies; (4-9-09)
- v. An explanation of satisfactory progress, including an explanation of the grading/assessment system; (4-9-09)
- vi. The calendar of study including registration dates, beginning and ending dates for all courses, and holidays; (4-9-09)
- vii. A complete list of instructors and their qualifications; (4-9-09)
- viii. A listing of available student services; and (4-9-09)

~~ix. Other information about the courses or courses of study that are likely to affect the decision of the student to enroll in the school. (4-9-09)~~

e. Accurate and secure records must be kept for all aspects of the student record including, at minimum, admissions information, and the courses each student completed. (4-9-09)

04. Standard IV – Faculty/Instructor Qualifications and Compensation. (4-9-09)

a. Instructor qualifications (training and experience) must be ~~described and the assigned location for each instructor must be identified~~ recorded and available to students. (4-9-09)

b. There must be a sufficient number of full-time instructors to maintain the continuity and stability of courses. (4-9-09)

c. The ratio of instructors to students in each course must be sufficient to assure effective instruction. (4-9-09)

d. Commissions may not be used for any portion of the faculty compensation. (4-9-09)

e. Procedures for evaluating instructors must be established. Provisions for student evaluation are recommended. (4-9-09)

05. Standard V - Resources, Finance, Facilities, and Instructional Resources. (4-9-09)

a. Adequate financial resources must be provided to accomplish instructional objectives and to effectively support the instructional program, including teaching classroom and training facilities, instructional materials, supplies and equipment, instructors, staff, library, and the physical and instructional technology infrastructure. (4-9-09)

b. The school must have sufficient instructional resources materials so that, together with tuition and fees, it is able to complete its educational obligations to currently enrolled students. If the school is unable to fulfill its obligations to students, the school must make arrangements for a comparable teach-out opportunity with another proprietary school or refund one hundred (100) percent of prepaid tuition. ~~to have students complete a comparable course or courses of study (a teach-out provision).~~ (4-9-09)

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c. ~~School Financial/business~~ records and reports ~~of the school~~ must be kept ~~and made~~ separate and distinct from those of any affiliated or sponsoring person or entity. Financial records and reports at a school shall be kept in accordance recognized financial accounting methods. (4-9-09)

d. The school must have adequate instructional resource materials available to students, either on site or through electronic means. These materials must be housed in a designated area and be available for students and instructors with sufficient regularity and at appropriate hours to support achievement of course objectives or to promote effective teaching. (4-9-09)

e. If the school relies on other schools or entities to provide library resources or instructional resources, the school must demonstrate how these arrangements effectively meet the needs of students and faculty. These arrangements must be documented through written agreements. Student and faculty use must be documented and frequently evaluated to ensure quality services are being provided. (4-9-09)

302. THE BOARD MAY NOTIFY THE PROPRIETARY SCHOOL OF ADDITIONAL INFORMATION REQUIRED.

If the Board is unable to determine the nature and activities of a school on the basis of the information provided by the school under this rule, then the Board may notify the school of additional information that it will be required to provide in connection with the application for registration. (3-29-10)

01. Verification of Information. The Board may verify the accuracy of submitted information by inspection, visitation, or any other means it considers necessary. The applicant school shall be responsible for any costs ~~PTE~~the Board incurs including travel, associated with this review. (3-29-10)

02. Criteria for Approval or Denial of Registration. To be approved for registration, the school must demonstrate that it is in compliance with Chapter 24, Title 33, Idaho Code and this rule, including all of the standards described in Section 301 of this rule. A school must remain in compliance for the registration year. (3-29-10)

03. Public Information. All information submitted to the Board is ~~public information, and is~~ subject to disclosure as set forth in the Public Records Act, Title 9, Chapter 3, Idaho Code. (3-29-10)

04. Certificate of Registration or Exemption. (4-9-09)

a. A certificate of registration will be issued to a proprietary school that has paid its registration fee and been approved under this rule. A certificate evidencing initial registration will be effective the date it is issued, and continue through June 30 of the next succeeding year. A renewal certificate will be for the period July 1 through June 30 of the next succeeding year. No school that is registered with the Board shall advertise or represent in any manner that it is accredited by the Board. An institution may only represent that it is "Registered with Idaho State Board of Education." Registration is not an endorsement of the school. (4-7-11)

b. An institution exempt from registration under these rules may request a certificate of exemption.

~~b.c.~~ If a school wishes to offer additional courses or courses of study during the course of a registration year that were not included in its application to the Board prior to issuance of the certificate of registration, then the school must submit a letter to the Board office along with appropriate approval documentation by the applicable professional or trade board, council, or commission. This letter will be added to the school's registration file. (4-7-11)

05. Disapproval and Appeal. If a proprietary school's request for initial registration or a renewal of registration is disapproved by the Board, then the school may appeal such decision in accordance with Chapter 52, Title 67, Idaho Code. The request must be in writing and made to the Board within thirty (30) days of the date the school is notified of the disapproval. (3-29-10)

06. Withdrawal of Approval. (4-9-09)

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a. The Board may refuse to renew, or may revoke or suspend approval of a school's registration by giving written notice and the reasons therefore to the school. The school may request a hearing under IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (3-29-10)

b. Withdrawal of approval may be for one (1) or more of the following reasons: (4-9-09)

i. Violation of Chapter 24, Title 33, Idaho Code or this rule. (4-9-09)

ii. Providing false, misleading, deceptive, or incomplete information to the Board. (3-29-10)

iii. Presenting to prospective or current students information about the school which is false, fraudulent, misleading, deceptive, or inaccurate in a material respect; or (4-9-09)

iv. Refusing to allow reasonable inspection or to supply reasonable information after a written request by the Board has been received. (3-29-10)

c. If any information contained in the application submitted by the school becomes incorrect or incomplete, then the registered school shall notify the Board of such change within thirty (30) days. A school that ceases operation during the course of a registration year shall immediately provide written notice to the Board of this event. (4-7-11)

~~078.~~ Agent's Certificate of Identification. Each proprietary school shall ensure that its agents have a valid certificate of identification, and that all of its agents are in compliance with Section 33-2404, Idaho Code. The school shall complete a criminal history check that includes, at a minimum, the State Bureau of Identification, and statewide sex offender registry for each agent having unsupervised contact with minors in the minor's home or at secondary schools, prior to making application for the agent's certificate of identification. The criminal history check shall be valid for five (5) years and be kept on file by the school. When an employee returns to any proprietary school after a break in service of six (6) months or more a new criminal history check must be obtained. When an employee changes employment between proprietary schools, a new criminal history check must be obtained by the new employer. (4-7-11)

a. The Board shall revoke any agent's certificate of identification issued or authorized under this Section and shall deny the application for issuance of a new certificate of identification of a person who pleads guilty to, or is found guilty of, notwithstanding the form of the judgment or withheld judgment, any of the following felony offenses against a child: (3-29-10)

i. The aggravated assault of a child, Section 18-905, Idaho Code, or the assault with intent to commit a serious felony against a child, Section 18-909, Idaho Code. (3-29-10)

ii. The aggravated battery of a child, Section 18-907, Idaho Code, or the battery with intent to commit a serious felony against a child, Section 18-911, Idaho Code. (3-29-10)

iii. The injury or death of a child, Section 18-1501, Idaho Code. (3-29-10)

iv. The sexual abuse of a child under sixteen (16) years of age, Section 18-1506, Idaho Code. (3-29-10)

v. The ritualized abuse of a child under eighteen (18) years of age, Section 18-1506A, Idaho Code. (3-29-10)

vi. The sexual exploitation of a child, Section 18-1507, Idaho Code. (3-29-10)

vii. Possession of photographic representations of sexual conduct involving a child, Section 18-1507A, Idaho Code. (3-29-10)

viii. Lewd conduct with a child under the age of sixteen (16) years, Section 18-1508, Idaho Code.

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(3-29-10)

ix. The sexual battery of a minor child sixteen (16) or seventeen (17) years of age, Section 18-1508A, Idaho Code. (3-29-10)

x. The sale or barter of a child for adoption or other purposes, Section 18-1511, Idaho Code. (3-29-10)

xi. The murder of a child, Section 18-4003, Idaho Code, or the voluntary manslaughter of a child, Section 18-4006 1., Idaho Code. (3-29-10)

xii. The kidnapping of a child, Section 18-4502, Idaho Code. (3-29-10)

xiii. The importation or exportation of a juvenile for immoral purposes, Section 18-5601, Idaho Code. (3-29-10)

xiv. The abduction of a person under eighteen (18) years of age for prostitution, Section 18-5610, Idaho Code. (3-29-10)

xv. The rape of a child, Section 18-6101 or 18-6108, Idaho Code. (3-29-10)

b. The general classes of felonies listed in Section 302 shall include equivalent laws of federal or other state jurisdictions. For the purpose of Subsection 302.07, “child” means a minor or juvenile as defined by the applicable state or federal law. (3-29-10)

089. Surety Bond. Each proprietary school shall comply with the provisions in Section 33-2406, Idaho Code, relating to a surety bond. (4-9-09)

a. The amount of the surety bond shall be not less than the total tuition and fees to be collected by the school from its students, currently engaged in instructional activities, that covers the period from the beginning through completion of ~~such students’ instructional program at the school during the upcoming registration year the course of instruction the student has contracted and paid for~~. This amount shall be based upon the projected tuition and fees ~~revenue for the coming registration year collected by the school from its students covering such period during the previous registration year~~, subject to modification in the event a school ~~is beginning operations and has no previous revenue or satisfactorily demonstrates that it expects experiences~~ significant changes in tuition and fee revenue during the upcoming current year. The Executive Director shall determine the appropriate format and method by which this bond value is to be calculated and reported. (3-29-10)

b. Schools must keep a valid bond in force, via periodic renewal as needed, throughout the entire registration year with no lapse in coverage. Schools shall ensure that all bonds include “extended coverage” clauses to remain in effect for one hundred twenty (120) days after the date of a school’s closure. (3-29-10)

c. No party to the surety bond may cancel without one hundred twenty (120) day prior notice to all parties, including the Office of the State Board of Education. (3-29-10)

d. The Board shall be the beneficiary of the bond and shall oversee the distribution of funds to students who file claims. Schools shall provide proof of the required bond and submit said documentation with their registration applications. (3-29-10)

303. -- 399. (RESERVED).

400. ENFORCEMENT

The Board, acting by and through its Executive Director or his designee, may initiate on its own initiative any investigation relating to a violation of the state laws or rules relating to the requirement that an institution or school register with the Board pursuant to Idaho Code title 33, chapter 24.

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401.-499. (RESERVED).

500. COMPLAINTS

A complaint concerning an institution or school operating in the State of Idaho (maintaining an Idaho presence) that pertains to a matter described herein shall be reviewed and acted upon as appropriate in accordance with the specific procedures described below:

01. Violations of State Consumer Protection Laws. A complaint alleging a violation of Idaho consumer protection laws shall be instituted, reviewed, and acted upon in accordance with IDAPA 04.02.01, Idaho Rules of Consumer Protection, Office of the Attorney General.

02. Violations of State Laws or Rules Related to the Registration of Postsecondary Educational Institutions and Proprietary Schools. A complaint alleging violations of state laws or rules related to the requirement that an institution or school register with the Board shall be submitted in writing to the Board's Executive Director or his designee for investigation and appropriate enforcement action, including the remedies specified in Idaho Code §33-2408.

03. Complaints Related to Quality of Education, or Other Matters

a. A complaint relating to the quality of education provided by an institution or school or accreditation matters, or any other matter related to the operations or practices of an institution or school other than a state consumer protection matter, shall be submitted on a form provided by the Board to the Executive Director or his designee for review and appropriate action.

b. If after initial review the Executive Director determines that the complaint relates to the quality of education or accreditation matters, the Executive Director may refer the matter to the accreditation organization of the institution or school at issue for review and recommendation. If a matter referred to an accreditation organization results in resolution of the complaint to the satisfaction of the complainant, then the matter shall be considered resolved and there shall be no further action on the matter. If the matter is not successfully resolved, then the Executive Director or his designee will review the recommendation of the accreditation organization and follow the procedures for investigations of complaints described in subsection c. of this section.

c. If the complaint pertains to any other matter related to the operations or practices of an institution or school, other than a state consumer protection matter, then the Executive Director or his designee will review the complaint to determine whether such complaint falls within the regulatory authority of the Board. If it does not, then Board office will notify the complainant in writing of such determination, and may offer referral of such matter to an appropriate agency or entity. If after initial review the Executive Director determines that the complaint falls within the regulatory authority of the Board, then Board staff will notify both the complainant and the respondent institution or school of the complaint resolution process to be utilized and applicable timelines. The review and investigation of a complaint shall occur as expeditiously as possible. The parties may be asked to respond in writing to the complaint, to submit to interviews, and to provide additional records, documents, statements, or other collateral information as necessary. Any request by the investigator for additional information related to such complaint must be provided promptly. The Board's investigator will review the materials submitted by all parties and at the conclusion of the investigation prepare a summary of the allegations, the investigator's findings, and a recommendation for disposition to the Executive Director. If the Executive Director determines that the facts indicate a probable violation of law or rule over which the Board has regulatory authority, then the Executive Director shall issue a written decision on the disposition of such complaint. Within thirty (30) days after a decision is issued a party aggrieved by such decision may file with the Executive Director a request for a hearing. The provisions of the Idaho Administrative Procedure Act, chapter 52, title 67, Idaho Code, shall apply to such hearing and to judicial review of such decision.

d. If the Board office receives a complaint relating to an institution or school that is exempt from registration under Idaho law or these rules, and such institution or school has not elected to voluntarily register, then such institution or school shall be responsible for reimbursing the Board office for the actual costs incurred to process and act on such complaint.

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SUBJECT

Proposed Rule, IDAPA 08.0104 Rules Governing Residency Classification

APPLICABLE STATUTES, RULE OR POLICY

Section 33-3717B, Idaho Code

BACKGROUND / DISCUSSION

IDAPA 08.01.04 Rules Governing Residency Classification delegates the responsibility for determination of residency for professional health education programs to specific institutions. It is within the Board's authority to delegate this responsibility. Changes to IDAPA 08.01.04 will remove the unnecessary language and allow the Board more flexibility in determining the most efficient process for making residency determinations in the future.

The current language requires students that apply to both the WWAMI Medical Program and University of Utah medical programs to have both institutions make determinations on their residency status for program eligibility purposes. Removing this language could allow one institution to make the determination for both programs.

IMPACT

The approval of this proposed rule will allow the rule to move forward to the legislature for review.

ATTACHMENTS

Attachment 1 – Pending Rule – IDAPA 08.01.04
Rules Governing Residency

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

Proposed rules have a 21 day comment period prior to becoming Pending rules. Based on received comments and Board direction, changes may be made to Proposed rules prior to entering the Pending stage. All Pending rules will be brought back to the board for approval prior to submittal to the Department of Administration for publication in the Idaho Administrative Rules Bulletin as a Pending Rule. Pending rules become effective at the end of the legislative session in which they are submitted.

Staff recommends approval of the Proposed rule IDAPA 08.01.04 Rules Governing Residency Classification.

BOARD ACTION

I move to approve to the Proposed Rule IDAPA 08.01.04 Rules Governing Residency Classification as submitted.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

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105. RESIDENCY REQUIREMENTS FOR SPECIAL GRADUATE OR PROFESSIONAL PROGRAMS.

01. As provided in Section 33-3717B, Idaho Code, a residency requirement of at least one (1) calendar year is in effect for certain special graduate and professional programs. Those programs include, but are not limited to, the ~~WWAMI Regional Medical Program~~, the WICHE Professional Student Exchange Program, the Idaho Dental Education Program, ~~the Creighton Dental Education Program~~, the ~~WOI Regional Veterinary Program~~, and the University of Utah Medical Program. For purposes of this section, the requirement of “at least one (1) calendar year” means a period of twelve (12) consecutive months of continuous residency consistent with the requirements of Section 33- 3717B, Idaho Code, immediately prior to the date of application. (5-8-09)

~~**01. Delegation of Certification Administration.** The following office or institutions are delegated the responsibility for the evaluation of applicants and determination of residency for the special graduate and professional programs for purposes of certification. (7-1-93)()~~

~~**a.** The University of Idaho -- WAMI Regional Medical Program, WOI Regional Veterinary Program. (7-1-93)()~~

~~**b.** Idaho State University -- Idaho Dental Education Program and the University of Utah Medical Program. (6-30-95)()~~

~~**c.** Office of the State Board of Education -- WICHE Professional Student Exchange Program. (6-30-95)()~~

02. Appeal to the State Board of Education. Applicants for the special graduate and professional programs, upon institutional denial of residency status, may petition the Board for a hearing on the denial. The decision to grant such a hearing is discretionary with the Board and will be granted for errors in determination of residency pursuant to Section 33-3717B, Idaho Code. (5-8-09)

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SUBJECT

First Reading, New Proposed Board Policy, Data Management Council

REFERENCE

August 2010	Board directed staff to do a needs assessment that includes the technical, fiscal, and governance requirements for a P-20 and Workforce SLDS.
February 2011	Board accepted the recommendations from the SLDS needs assessment and authorized the Executive Director to determine the configuration and make initial appointments to the Data Management Council.

BACKGROUND/DISCUSSION

The Idaho Data Management Council (hereinafter referred to as “Council”) is a council established to make recommendation on the oversight and development of Idaho’s Statewide Longitudinal Data System (SLDS) and oversees the creation, maintenance and usage of said system.

The primary purpose of the SLDS will be to allow longitudinal tracking of students from preschool through all levels of the public education system (elementary, middle and high schools, college and graduate school) and into the workforce. To reflect this scope, the SLDS to be developed will be referred to as a P-20W system. This system will collect data from a variety of disparate source systems, including the K-12 system developed by the State Department of Education, the systems in use at the various postsecondary institutions, the State Department of Labor, the National Student Clearinghouse, and others, and will transform that data into a single, coherent structure on which longitudinal reporting and analysis can be performed.

While the Council has been established, a Board policy is necessary to provide guidance to the DMC. Board staff worked with the Council to develop a new policy, which would cover the role and purpose of the committee, committee structure, terms of membership, and reporting requirements.

IMPACT

Setting the policy for the Data Management Council (DMC) is the foundation for organizing the council and allowing it to fulfill its intended purpose.

ATTACHMENTS

Attachment 1 – Board Policy I.O. – First Reading

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval as staff has worked with the DMC to develop the policy and leveraged similar policy as a template.

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BOARD ACTION

I move to approve the first reading of a new section of Board Policy, I.O Data Management Council as submitted and to direct the Data Management Council to develop their bylaws for future Board approval.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: I. General Policies

SUBSECTION: O. Data Management Council

October 2011

1. Purpose

The Idaho Data Management Council (hereinafter referred to as “Council”) is a council established to make recommendation on the oversight and development of Idaho’s Statewide Longitudinal Data System (SLDS) and oversees the creation, maintenance and usage of said system.

The purpose of the SLDS will be to allow longitudinal tracking of students from preschool through all levels of the public education system (elementary, middle and high schools, college and graduate school) and into the workforce. To reflect this scope, the SLDS will be referred to as a P-20W system. This system will collect data from a variety of disparate source systems, including the K-12 system developed by the State Department of Education, the systems in use at the various postsecondary institutions, the State Department of Labor, the National Student Clearinghouse, and others, and will transform that data into a single, coherent structure on which longitudinal reporting and analysis can be performed.

The construction, maintenance and administration of the P-20W SLDS shall be carried out by designated staff of the Office of the State Board of Education and State Department of Education. The role of the council is to provide direction and make recommendations to the Board on policies and procedures for the development and usage of the system, and to report back to the Board as needed on the progress made on any issues that require Board consideration.

2. Roles and Responsibilities

In order to advise and make recommendation to the Board on the implementation of the SLDS, the council will report to the Board through the Planning, Policy and Governmental Affairs Committee. The scope of responsibilities of the Council will include the following:

a. Data Standards and Quality

- i. Ensure that all data elements within the SLDS are clearly and unambiguously defined and used consistently throughout the system.
- ii. Ensure that the data within the SLDS is as complete and accurate as possible and complies with the agreed upon definitions.

b. Access and Security

- i. Establish parameters for security and encryption of data uploads, data storage, user roles and access, privacy protection, and appropriate use of data.
- ii. Review and approve mechanisms (technical and procedural) for implementing the required security and access rights.

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- iii. Establish guidelines for responding to requests for data access by various stakeholders, including school, district and college/university staff, education researchers, and the public.
- c. Change Management and Prioritization
 - i. Propose enhancements to the SLDS, review enhancements proposed by other groups, and set priorities for the development of those enhancements.
 - ii. Review and approve or deny any proposed changes to existing functionality, data definitions, access and security policies, etc.
- d. Training and Communication
 - i. Establish guidelines for training of SLDS users, and review and approve specific training plans.
 - ii. Ensure adequate communication concerning the SLDS.

In each of these areas, the Council shall develop policies and procedures for Board approval as appropriate.

3. Membership

The membership of the Council shall consist of:

- a. One member of the State Board of Education, appointed by the Board President.
- b. One representative from the Office of the State Board of Education.
- c. Three representatives from public postsecondary institutions, of whom at least one shall be from a community college and no more than one member from any one institution.
- d. One representative who serves as the registrar at an Idaho public postsecondary institution, which may be from the same institution represented in subsection 3.c. above.
- e. Two representatives from the State Department of Education.
- f. Two representatives from a school district, with at least one from an urban district and one from a rural district, and no more than one member from any one district.
- g. One representative from the Division of Professional-Technical Education.
- h. One representative from the Department of Labor.

Original appointments shall be for terms that are initially staggered to provide a rolling renewal of appointments. Thereafter, appointments shall be for two years, commencing on July 1st. All members of the Council shall have equal voting privileges.

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The Chair shall be selected by the membership on a rotating basis, such that no one constituency shall hold the chair in consecutive terms (i.e. no two representatives from a postsecondary institution or school district shall serve as chair in consecutive terms.

4. Nominating Process

The Council shall nominate candidates for membership for Board consideration. The list of candidates including letters of interest and biographical information must be forwarded to the Board for consideration not less than 60 days prior to expiration of the term of a committee member, or within 30 days after any vacancy.

a. Incumbent Reappointment

If the incumbent candidate is interested in reappointment and is eligible to continue serving based on the Council's current membership structure, the incumbent will provide in writing his or her interest for reappointment, which will be forwarded to the Board for consideration.

b. Open Appointment

- i. Council members shall solicit nominations from all constituency groups.
- ii. Each nominee must provide a written statement expressing his or her interest in becoming a member of the Council. Each nominee must also provide a description of his or her qualifications.
- iii. The Council will review all nominations for the vacant position and will forward the qualified candidates with recommendations to the Board for consideration.

The Board may, after a review of nominee's pursuant to the process described herein, consider other candidates for Council membership identified by the Board or its staff.

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