

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 13, 2015**

TAB	DESCRIPTION	ACTION
1	IDAHO STATE UNIVERSITY ANNUAL REPORT	Information Item
2	PRESIDENTS' COUNCIL REPORT	Information Item
3	DIVISION OF PROFESSIONAL-TECHNCIAL EDUCATION ANNUAL REPORT	Information Item
4	GOVERNOR'S TASK FORCE RECOMMENDATIONS UPDATE	Motion to Approve
5	IDAHO BUSINESS FOR EDUCATION – 60% ATTAINMENT GOAL/TASK FORCE RECOMMENDATION IMPLEMENTATION	Motion to Approve
6	LITERACY IMPLEMENTATION SUBCOMMITTEE REPORT AND RECOMENDATION	Motion to Approve
7	COMPULSORY ATTENDANCE RESEARCH	Motion to Approve
8	PROPOSED RULE IDAPA 08.01.09, GEAR UP IDAHO SCHOLARSHIP	Motion to Approve
9	PROPOSED RULE IDAPA 08.01.13, OPPORTUNITY SCHOLARSHIP	Motion to Approve
10	PROPOSED RULE IDAPA 08.02.01, CONTINUOUS IMPROVEMENT PLANS	Motion to Approve

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11	PROPOSED RULE IDAPA 08.02.02, TEACHER CERTIFICATION	Motion to Approve
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12	PROPOSED RULE IDAPA 08.02.03, GRADUATION REQUIREMENTS – PROFICIENCY, MIDDLE SCHOOL CREDITS	Motion to Approve
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13	PROPOSED RULE IDAPA 08.02.03, ADVANCED OPPORTUNITIES	Motion to Approve
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14	PROPOSED RULE IDAPA 08.02.05, SEED CERTIFICATION	Motion to Approve
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15	PROPOSED RULE IDAPA 47.01.01 VOCATIONAL REHABILITATION, INCORPORATION BY REFERENCE	Motion to Approve
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IDAHO STATE UNIVERSITY

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.

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.

ATTACHMENTS

Attachment 1 – Progress Report

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BOARD ACTION

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

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Idaho State
UNIVERSITY

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Who We Are



- Established in 1901; University in 1960
- Comprehensive University with a Health Care Mission
- Commitment to Teaching and Research
- Accredited by NWCCU – Reaffirmed January 2015



What We Offer



More than 250 academic
and certificate programs –
Ranging from
professional-technical
to graduate degrees

Idaho State

UNIVERSITY



Who We Serve

ISU has educational
centers across Idaho

- Statewide health care mission
- Service Regions: IV, V, VI



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Who We Serve



- *14,371 students from 48 states and 59 countries
- 82% of ISU students are from Idaho

** Fall 2014 Census Headcount*

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Idaho State
UNIVERSITY

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Early College Access



- 2,232 high school students participated in the program in FY2015
- 47 Renaissance High School students graduated with their associate's degree in May 2015



Student Success



*Retention Efforts Continue

FY 2015 = 71.30%

FY 2014 = 66.80%

FY 2013 = 62.10%

FY 2012 = 62.00%

** First-time, full-time degree seeking*



Bridging the Gap



Bengal Bridge Program

- Started in Summer 2014; 96% enrolled in Fall 2014
- Started in Summer 2013; 80% enrolled in Fall 2013

START Program

- Since the start of the program in Summer 2011, 85% of students have retained or graduated

** Pilot Programs*



CPI Success



- 890 students participated in the Career Path Internship program in 2014-15
- Average GPA is 3.12
- 91% of students retained or graduated



Graduate School Growth



Applications for Fall 2015 are
up more than 9%

Fall 2015 = *2,517

Fall 2014 = 2,294

College Week Live utilized
to engage prospective
students around the globe

** As of July 11, 2015*



Health Care Leader



- More than 1/3 of ISU's degrees awarded are in the health professions
- Programs are in high demand: 3,090 applications, 725 accepted
- ISU offers *12 of the top 15 health professions careers in highest demand in 2014 and 2015

** According to Forbes and U.S. News & World Report*



Leadership
in
Health Sciences

Statewide Health Mission



- Audiology Au.D., Ph.D.
- Physical Therapy D.P.T., Ph.D.
- Occupational Therapy M.O.T.
- Pharmaceutical Science M.S., Ph.D.
- Pharmacy Practice Pharm.D.
- Nursing Ph.D.
- Physician Assistant M.P.A.S.
- Speech Pathology M.S.
- Health Education M.H.E.
- Public Health M.P.H.
- Health Physics B.S., M.S., Ph.D.
- Dental Hygiene B.S., M.S.
- Medical Lab Science B.S., M.S.
- Clinical Psychology Ph.D.



Residency Programs



- The only Idaho institution to sponsor an accredited graduate medical and dental education programs
- 6 out of 7 of the 2015 Family Medicine Residency graduates are staying in Idaho



Cutting-Edge Facilities



New \$6 million state-of-the-art Treasure Valley A&P Lab

- 42 Physician Assistant students will be using the lab this fall
- Distance learning technology makes the lab accessible to 200 high schools across the state

\$1 million in upgrades to the Pocatello A&P lab



Research & Development



External funding awarded annually to ISU

*FY 2015 = \$25,309,512

FY 2014 = \$25,022,334

FY 2013 = \$23,911,923

** FY 2015 data is tentative as of July 13, 2015*



Institute of Rural Health



- Since its creation in 1989, the IRH has secured \$40 million in federal, state and private funding
- IRH projects include telehealth, traumatic brain injury and suicide prevention



Bengal Pharmacy, LLC



- Owned by the ISU Foundation and operated in partnership with ISU's College of Pharmacy
- Now serving rural Idaho with telepharmacy locations in Arco and Challis



Health-Teaching Clinics



- PT/OT Pocatello
- Speech & Language Pocatello
- Speech & Language Meridian
- Audiology Pocatello
- Counseling Pocatello
- Counseling Meridian
- Dental Pocatello
- Dental Meridian
- Dental Hygiene Pocatello
- Dental Hygiene Idaho Falls
- Wellness Center
- Psychology
- Family Medicine
- Health Center

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Family Medicine Clinic



Partnership with HealthWest,
a federally-funded community
health center

ISU Family Medicine Residents:

- Cared for 3,902 HealthWest patients
- Served 1,366 uninsured HealthWest patients
- Ordered 1,867 immunizations
- Delivered 306 HealthWest babies



Speech Language Clinic



- Fosters speech and language skills in children with difficulties in these areas
- Intensive summer clinic served 12 children between the ages of 18 months–5 years old participated in July

Go Bengals!



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Idaho State
UNIVERSITY

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PRESIDENTS' COUNCIL

SUBJECT

Presidents' Council Report

BACKGROUND/DISCUSSION

President Tony Fernandez, Lewis-Clark State College President and current chair of the Presidents' Council, will give a report on three major initiatives or issues the Presents' Council will be addressing in the coming year and the recent activities of the Council and answer questions. The Presidents' Council last met on August 11th, 2015.

BOARD ACTION

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

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SUBJECT

Idaho Division of Professional-Technical Education (PTE)

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 PTE 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.

Dwight Johnson, Administrator of the Division of Professional-Technical Education, will provide an overview of PTE's progress in carrying out the agency's strategic plan.

ATTACHEMENTS

Attachment 1 – Progress Report

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BOARD ACTION

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IDAHO

Division of
Professional-Technical Education

1. Enhance PTE Image – Communicate Value

- Mission: Preparing youth and adults for high-skill, in-demand careers
- PTE communications plan
- Update name: Professional-Technical Education / Career & Technical Education ★

2. Develop Resources to Grow PTE

- Postsecondary: Demonstrate ROI for FY2017 ★
 - 76% increase in graduation in \$19+ hour jobs and 48% reduction in waiting list with 10% increase in funding in 30 programs
- Postsecondary: Study Committee formed to develop future funding formula
- Secondary: Implement Performance Based Funding for all PTE programs ★
- Secondary: Move from ADA to Enrollment for PT high schools ★

3. Increase Advanced Opportunities

- Horizontal and vertical alignment of first semester student learning outcomes ★

4. Connect Education to Employment



- Micro-certifications to communicate demonstrated skill competency
- Career Guidance: A collaborative approach with PTE (SkillStack), Labor (CIS), SBOE (Next Steps), SDE, IDLA, Idaho State Counselors Assoc.

5. Expand Access to PTE: PTE Digital

- Access for rural and non-traditional students
- New opportunities for all students
- Develop new funding model for FY 2018 – expand versus redistribute

6. Build PTE Teacher Pipeline




- Taskforce formed to focus on recruitment and retention

7. Develop Internal Capacity

- Fully staffed
- Motivated leadership team
- Thoughtful cultural shifts
- Staffing to 2008 level ★

PTE Students Go On!

- 67% of Idaho PTE high school completers enroll in college compared with 53% of the general student population
- 94% of PTE high school graduates found a job or moved into post-secondary education
- 92% of technical college completers found jobs or continued their education

Required Education	Available Jobs
Graduate Degree	
Bachelor Degree	
1-Year Cert OR 2-Year Degree	

1:2:7 Ratio



IDAHO

Division of
Professional-Technical Education

Total PTE FY16 Budget - \$66.92 Million

- Secondary Budget - \$15.85 Million (25%)
- Postsecondary - \$46.50 Million (75%)
- State (General Fund) - \$56.20 Million (84%)
- Federal (Perkins, WIA and ABE) - \$9.28 Million (14%)
- Dedicated = \$1.44 Million (2%)

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SUBJECT

Governor's Task Force for Improving Education Recommendations Update.

REFERENCE

January 2014	Board received update on Task Force recommendations.
February 2014	Board established two committees to develop plans to implement the recommendations of the Governor's Task Force for Improving Education.
June 2014	Board approved a legislative idea for the career ladder compensation model and a placeholder for legislative ideas related to implementation of the recommendations of the Task Force for Improving Education.
August 2014	Board approved a proposed tiered licensure rule and a proposed rule to ensure learning plans developed at grade eight (8) are reviewed annually throughout a student's high school career.
October 2014	Board adopted recommendations of the Structure and Governance Subcommittee and legislation to move forward the implementation of the 20 recommendations.

BACKGROUND/DISCUSSION

In December 2012, Gov. C.L. "Butch" Otter announced that the State Board of Education would shepherd a discussion about how to improve Idaho's education system to better prepare students for success. A Task Force of 31 individuals, representing a broad and diverse group of stakeholders from across the state, assembled in January 2013 to begin discussion and identify areas of focus. As an overarching goal, the group unanimously adopted the State Board's goal that 60 percent of Idahoans between the ages of 25 and 34 attain a postsecondary degree or credential by 2020.

After eight months of study and deliberation, the Task Force for Improving Education finalized 20 recommendations. The Board adopted the recommendations understanding that many of them would require further work to develop implementation plans, and shepherd them through to full implementation. To that end the Board established three subcommittees of the Task Force to facilitate this work. These subcommittees included the Career Ladder subcommittee, Structure and Governance subcommittee, and Literacy subcommittee.

The Structure and Governance subcommittee broke into three additional subcommittees: High Expectations, Autonomy and Accountability, and Innovation and Collaboration and brought forward recommendations in October 2014 for Board consideration. The Career Ladder subcommittee brought forward

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recommendations in the form of administrative rules and legislation for the implementation of the Career Ladder in August and October of 2014 and the Literacy subcommittee brought forward recommendations in December of 2014 for Board consideration.

In 2015 the Board formed two additional subcommittee's to continue the work. The Literacy Implementation Subcommittee has completed their initial work and have brought forward their recommendations for Board consideration as a separate agenda item. The Board approved an initial legislative idea at the June 2015 Board meeting pending formal adoption of the final recommendations. The Public School Funding subcommittee is an implementation committee of the Structure and Governance subcommittee and is focused on implementation of the recommendation to re-evaluate the public school funding formula and come up with a formula that addresses all of the varied modes of education students now have access to, increased student mobility, and mastery-based education. This group will also bring forward a recommendation regarding incorporating pupil service staff into the Career Ladder. A third group is the result of the Career Ladder legislation (HB 296 – 2015) and the creation of a Master Teacher Premium (Section, 33-1004I, Idaho code) and is working on the criteria for teachers to earn the Master Teacher Premium for Board consideration at a later date.

IMPACT

This update will afford the Board with the opportunity to ask questions regarding the progress of the implementation of the recommendations and provide additional direction to staff.

ATTACHMENTS

Attachment 1 – Summary of Recommendations Implementation
and Projected Cost

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STAFF COMMENTS AND RECOMMENDATIONS

Board staff is working with the various implementation committee's to help facilitate the implementation of the various recommendations with fidelity. Attachment 1 outlines the 20 recommendations and where each is in the implementation process as well as the projected fiscal impact.

BOARD ACTION

I move to direct staff to continue to work on the implementation of the recommendations and work with legislators and the Governor's office to secure continued support and funding.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Task Force for Improving Education Recommendations Summary

Goal: High Performing Schools Statewide - Measure: 60% Post-Secondary Completion

Structural Change (2013 Committee)

Guiding Principle #1: Significant structural change is absolutely necessary if the state is to achieve the 60% goal.

- Strategy #1: High Expectations (2014 Subcommittee)
 - Recommendation #1.1: Mastery-based System
 - Recommendation #1.2: Idaho Core Standards
 - Recommendation #1.3: Literacy Proficiency
 - Recommendation #1.4: Advanced Opportunities

Guiding Principle #2: A foundation of high-performance schools is a high-performance work environment.

- Strategy #2: Autonomy and Accountability (2014 Subcommittee)
 - Recommendation #2.1: Revamp the State's Accountability Structure Involving Schools
 - Recommendation #2.2: Empower Autonomy by Removing Constraints
 - Recommendation #2.3: Annual Strategic Planning, Assessment, and Continuous Focus on Improvement
- Strategy #3: Innovation and Collaboration (2014 Subcommittee)
 - Recommendation #3.1: Job-Embedded Collaboration/Professional Development Time (See Recommendations #2.3 and #2.4 under Fiscal Stability/Effective Teachers and Leaders)
 - Recommendation #3.2: Statewide Electronic Collaboration System
 - Recommendation #3.3: High Speed Bandwidth and Wireless Infrastructure
 - Recommendation #3.4: Educator and Student Technology Devices

Fiscal Stability / Effective Teachers and Leaders (2013 Committee)

Guiding Principle #1: High Performing Schools Require Fiscal Stability

- Strategy #3:
 - Recommendation #1.1: Restoration of Operational Funding
 - Recommendation #1.2: Career Ladder Compensation Model
 - Recommendation #1.3: Enrollment System of Funding Schools

Guiding Principle #2: High Performing Schools Require Effective Teachers and Leaders

- Strategy #3:
 - Recommendation #2.1: Tiered Licensure
 - Recommendation #2.2: Mentoring
 - Recommendation #2.3: Ongoing Job-Embedded Professional Learning
 - Recommendation #2.4: Site-based Collaboration for Teachers and Leaders
 - Recommendation #2.5: Continued Development of Administrator Evaluation Framework
 - Recommendation #2.6: Enhanced Pre-service Teaching Opportunities
 - Recommendation #2.7: Participation in the CCSSO's Teacher Preparation Recommendations

Recommendations Summary (see detailed reports for complete recommendation)

1. Mastery-based System (High Expectations Subcommittee)

Recommendation (2013)

We recommend the state shift to a system where students advance based upon content mastery, rather than seat time requirements. This may require a structural change to Idaho's funding formula and/or some financial incentive to school districts. We also recommend that mastery be measured against high academic standards.

Implementation Recommendation (2014)

The committee recommends a two-pronged approach to implementing a mastery-based education model. The model would be based on two approaches. The first approach applies to grades K-6. A separate approach applies to grades 7-12, based on the Advanced Opportunities Programs (Recommendation #4).

1. We recommend that Idaho create an "incubator" model designed to identify and support those districts\charters that are willing and ready to start moving toward a competency based education system in grades K-6.
2. We recommend that the State Board of Education adopt the competency based education model developed by the RISC.
3. We recommend that the State Board, State Superintendent, Legislature, and Governor support a statewide awareness effort concerning "Competency Based Education."
4. We recommend that a follow-up committee comprised of superintendents, principals, teachers, and members of this committee meet in Fall 2014 to further explore specific RISC's options; identify roadblocks and possible solutions; develop recommendations for the incubator process; and discuss the data that should be captured throughout the process.
5. We recommend that the State Department of Education prioritize federal or other grants to support districts who are implementing mastery programs.
6. We recommend that over the next five years all districts\charters adopt a mastery-based assessment report card which is aligned to Idaho's statewide standards.

Fiscal Impact:

- Statewide awareness plan: \$80,000-\$100,000
- Site visitation and readiness assessment for 20% of districts and charters: \$300,000.

FY16: \$400,000

Implementation Cost:

- It is estimated to cost \$44.60 per student per year for a three year fully supported district implementation. Districts\Charters would be chosen for implementation based on readiness assessments, demographics, and available funding.

FY17: impact: \$1,500,000

Implementation

The 2015 legislature approved HB110 (2015) creating Section 33-1630, Idaho code requiring a statewide awareness campaign to promote understanding and interest, establishment of a committee of educators to identify roadblocks and possible solutions, and facilitation of the development of an incubator program with an initial cohort of 20 local education agency participants. The Department of Education has formed a committee of educators and the Superintendent will report to the Board on their progress.

Fiscal Impact:

FY16: \$400,000 appropriation

2. Idaho Core Standards

Recommendation (2013)

We strongly endorse the rigorous and successful implementation of the Idaho Core Standards as an essential component of high performing schools. Higher standards in all subject areas help raise student achievement among all students, including those performing below grade level.

Implementation Steps to Date:

The teacher preparation programs have fully incorporated the standards into their curriculum and continue to provide training and professional development to prepare educators to effectively implement the state content standards. In FY16 the state will be fully transitioned to the new ISAT aligned to the standards. The final step of the field test, was conducted in FY15 and achievement level indicators (cut score) were approved by the Board in early 2015 (calendar year).

3. Literacy Proficiency (Literacy Subcommittee)

Recommendation (2013)

We recommend students demonstrate mastery of literacy before moving on to significant content learning. Reading proficiency is a major benchmark in a student's education. Students must learn to read before they can read to learn content in other subject areas.

Implementation Recommendation (2014)

We recommend students demonstrate mastery of literacy before moving on to significant content learning. Reading proficiency is a major benchmark in a student's education. Students must learn to read before they can read to learn content in other subject areas. Recommendations can be summarized as follows:

- Recommendations on changes to Idaho Code to expand state-supported literacy interventions for struggling early readers.
- Recommendations on identifying and implementing a new early literacy assessment package.
- Recommendations on changes to Idaho Code to refine the language related to the Idaho Reading Indicator (IRI).
- Recommendations on literacy training through teacher preparation and professional development.
- Presentation of a substantially revised Idaho Comprehensive Literacy Plan to replace the one approved by the State Board of Education in 1998.

Fiscal Impact: (Contingent on adoption of Literacy Implementation Recommendations – 2015):

FY17:

- Full day Kindergarten or substantial intervention for students who score below basic on IRI (4,251 students X \$2,310) \$9,819,232.50
- 20 hours of intervention for students in grades 1-3 who score basic on IRI (15,487 x \$53.27) \$824,902.90
- Intervention for students who score basic or below basic on the IRI-Alt (691 x \$106.53) \$73,579.31
- Books for school libraries, 2 books per student per year, grades K-5, 135,974 students x \$23.46 (funding would be broken out over three years. \$189,950

FY18:

- Full day Kindergarten or substantial intervention for students who score below basic on IRI \$6,323,336.25
- Job-embedded literacy professional development \$1.3M
- Books for school libraries \$1M
- Undetermined amount for new Idaho Reading Indicator Assessment.

4. Advanced Opportunities (High Expectations Subcommittee)

Recommendation (2013)

We recommend the state ensure that all students have access to advanced opportunities by expanding post-secondary offerings while a student is still in high school.

Fiscal Impact:

FY16: If advanced opportunities programs were maximized and 60% of Idaho's high school seniors (approximately 21,000 students) completed an average of nine credits by

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the time they graduated, the total cost would be approximately \$7 million based on \$65 per credit. The Committee estimates that it will take several years to reach this level.

Preliminary estimates indicate the total cost for FY15 including the majority of the county payments at \$3.5M (\$3M to school districts, \$0.5M to counties).

College and Career Advising

Fiscal Impact:

The state could begin by using the approach used for IT staffing as a model at \$2.5 million per year.

“An amount specified in the appropriation bill for the public schools educational support program for counseling support as provided for in section 33-1212A, Idaho Code, shall be distributed, in full or pro rata, based on one hundred twenty dollars (\$120) per first reporting period support unit for grades 8 through 12 or ten thousand dollars (\$10,000), whichever is greater”

Implementation Recommendation (2014)

1. We recommend that the relevant sections of Idaho Code, Title 33, Chapter 166 pertaining to advanced opportunities be consolidated into a single chapter which will provide better clarity to districts, institutions and school boards.

The focus on enhancing advanced opportunities has resulted in several new sections of code to delineate specific programs such as 8 in 67, Early Completers⁸, and the new Fast Forward⁹. Consolidating the information in one chapter and reorganizing the information will help students, parents and schools navigate the various offerings more easily and effectively.

2. We recommend that the changes be made to current advanced opportunities programs in Idaho Code to consolidate the various programs to a single section of code and implement necessary changes to simplify participation and administration.
3. We recommend follow-on work in 2-3 years to simplify and consolidate the Advanced Opportunities programs after review of data on the implementation of the Fast Forward program. We envision that within 2-3 years, the State would fund 100% of all successfully completed dual credit courses, advanced placement exams, and transferable professional-technical courses or industry certification exams while in high school to encourage students to apply for scholarships.
4. We support the State Board of Education in working with legislators to create scholarships to provide assistance to students who earn college credit in high school and go on to a postsecondary institution in Idaho.

Fiscal Impact:

If advanced opportunities programs were maximized and 60% of Idaho's high school seniors (approximately 21,000 students) completed an average of 9 credits by the

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time they graduated, the total cost would be approximately \$7 million based on \$65 per credit. The Committee estimates that it will take several years to reach this level. Programs such as 8 in 6 and Early Completers, while growing steadily are not experiencing large year-over-year increases in participation.

5. The committee believes that college/career advising is key to reaching Idaho's 60 percent goal. We recommend the Legislature appropriate funds specifically for districts to implement college/career advising using a model that best fits their needs. Suggested models include, but are not limited to: AVID10, Near-Peer mentoring, stipends, shared staff, and remote counseling.

Fiscal Impact:

The state could begin by using the approach used for IT staffing as a model at \$2.5 million per year.

6. We recommend that Idaho Administrative Rule be revised to require annual review of the 8th Grade Education Plan in grades 9-12.

Implementation:

SB1050 was approved by the 2015 legislature, creating a new section of Idaho code, Section 33-4602, Idaho Code, consolidating the various advanced opportunities programs and removing requirements to simplify and administration of the programs.

SB313 was approved by the 2015 legislature creating a mechanism to distribute additional funding to school districts for college and career advising and clarify additional models districts could use to establish college and career advising programs. Funding was not provided for FY16, if the formula is fully funded FY17 the fiscal impact would be approximately \$2.5M.

IDAPA 08.02.03 was amended to add clarify language that the 8th Grade Education Plan had to be reviewed annual in grades 9-12.

5. Revamp the State's Accountability Structure Involving Schools (Accountability and Autonomy Subcommittee/Public School Funding Subcommittee)

Recommendation (2013)

We recommend the state revamp the accountability structure involving schools. The existing structure that relies on compliance mandates should be replaced with a system that is based on accountability for student outcomes.

Implementation Recommendation (2014)

We recommend that the state's 5-Star Rating System be revised and refined to facilitate accurate and fair measurement and ranking of schools and districts that require intervention and assistance.

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Additional components of this recommendation tie into components of a state accountability system that focuses on all schools and not only identifying low performing schools in need of intervention and assistance as required by the federal accountability system. These components of the recommendation are included in the annual strategic planning and continuous improvement planning recommendations.

Each school in the state should be scored on two metrics: Readiness and Improvement. Readiness would be based on the percent of graduating students that are prepared to continue to the next level and improvement based on year over year improvement in the level of readiness produced by the school. Statewide measures would be based on three academic bands, K-6 (% students proficient or above on 6th grade statewide assessment), K-8 (% students proficient or above on 8th grade statewide assessment), and high school (% students meeting or exceeding state benchmark on college entrance exam).

Implementation

Implementation of parts of this recommendation is tied in with recommendation #7.

6. Empower Autonomy by Removing Constraints (Accountability and Autonomy Subcommittee)

Recommendation (2013)

We recommend the Governor's Office, State Board of Education, and State Department of Education evaluate existing education laws and administrative rules and work with the Legislature to remove those which impede local autonomy, flexibility to adapt to local circumstances, and the ability of the schools to be agile, adaptive, innovative, and drive continuous improvement.

Implementation Recommendation (2014)

Recommendations include review and assessment of state policy and regulations to determine potential impact and effectiveness at the legislative and Board level, to remove restrictions that have not proven effective, and to remove funding constraints as applicable.

Implementation

During the 2015 legislative session the legislature approved legislation repealing sections of code that were identified in an initial review as part of the subcommittees work as no longer necessary. Full implementation of this recommendation will require an annual review process by the Board and Board staff.

7. Annual Strategic Planning, Assessment, and Continuous Focus on Improvement (Accountability and Autonomy Subcommittee)

Recommendation (2013)

We recommend each district be required to have a strategic plan (and to renew it annually) that identifies and focuses district-wide continuous improvement toward statewide goals. Both the local board and the state should provide oversight to ensure that the plan is appropriate to local circumstances and aligns to and supports the state's goals. The plan forms the basis from which accountability will be structured and the superintendent will be evaluated.

FY16: If fully funded at \$6,600 per LEA, \$759,000, this is available to all school districts and charter schools, the fiscal estimate only used school districts since not all districts would request the reimbursement.

Implementation Recommendation (2014)

We recommend that the State implement an Annual Planning Cycle and Continuous Process Improvement Plans that Lead to Achievement Scores Aligned to the 60% Goal.

We recommend that the State offer professional development and collaborative training and support for local boards/leadership to develop awareness of and competencies in continuous improvement practices.

We recommend that the timing of data be reviewed and adjusted to align with budget and annual planning deadlines for both school boards and teachers.

Implementation

During the 2015 legislative session, Section 33-320, Idaho Code was amended to change the references to strategic planning to continuous improvement planning to provide better clarity to the intent of the strategic planning requirements. Additional changes amended the possible reimbursement to \$6,000 per district.

The Board approved a legislative idea at the June 2015 board meeting that would incorporate the recommendation for statewide measures based on three grade bands into the section of code. If the legislation is approved by the Board it will be forwarded to the 2016 legislature for consideration.

FY16: \$652,000 was appropriated.

FY17: Up to an additional \$107,000.

8. Statewide Electronic Collaboration System (Innovation and Collaboration Subcommittee)

Recommendation (2013)

We recommend that a statewide electronic collaboration system be adopted for educators to share ideas and resources across the state.

Implementation

FY16 appropriation included \$611,000 in addition to the \$2M base to be used towards instructional/learning management systems at the district level, for a total of \$2,611,000.

9. High Speed Bandwidth and Wireless Infrastructure

Recommendation (2013)

We recommend the state expand the existing high speed bandwidth infrastructure to ensure every school (high school, middle school, and elementary school) has the bandwidth and wireless infrastructure necessary for simultaneous equal access and opportunity. This will require ongoing funding for the repair and replenishment of equipment.

Implementation

Idaho Education Network funding and staff were transferred to the Department of education as a temporary measure for FY16, a legislative interim committee is evaluating solutions and will make a recommendation to the legislature and Governor to be considered by the 2016 legislature for FY17 and beyond.

10. Educator and Student Technology Devices (Innovation and Collaboration Subcommittee)

Recommendation (2013)

We recommend that every educator and student have adequate access to technology devices with appropriate content to support equal access and opportunity. Educator professional development is critical to the effective implementation of technology.

Fiscal Impact:

Potential \$180-\$200/student per year or approximately \$60 million (inclusive of the funds already being spent) with an appropriate phase-in.

Implementation Recommendation (2014)

We recommend that the technology grant pilot program to schools be discontinued and that funding be made available to all districts for technology needs. Students must have access to devices that support the highest quality of learning.

Implementation

The pilot program was discontinued and funding was appropriate for FY16 for districts to use on technology.

Fiscal Impact:

FY16: appropriation, \$5M ongoing for technology.

11. Restoration of Operational Funding

Recommendation (2013)

We recommend restoration of operational funding to the FY 2009 level. Although traditionally called “discretionary” funding, operational funds are the normal, reasonable costs of doing business and include such items as paying for heat, lights and fuel; transporting students in a safe manner to and from school; and providing timely and relevant content materials and training for teachers. A multiple year approach could be implemented to rebuild operational funding.

Fiscal Impact:

Total restoration of operational funding to the 2009 level would cost \$82.5 million. However, a multiple year approach to restoration could be implemented. A 5-Year restoration approach to rebuild operational funding would cost \$16.5 million per year.

Implementation

Fiscal Impact:

FY16: appropriation, \$21,586,200 increase in discretionary/operation funds, from \$22,401 per support unit to \$23,868

12. Career Ladder Compensation Model (Career Ladder/Tiered Certification Subcommittee)

Recommendation (2013)

We recommend a phased implementation of a Career Ladder of teacher compensation. The model proposed combines competitive salaries with incentives, rewards and accountability. Further, we believe it should be tied to a revised system of state licensure.

Supporting Recommendations:

The accountability model is predicated on a strong evaluation system.

- The committee endorses the ongoing implementation of the State Department of Education’s new evaluation framework.
- The committee recommends the continued training of principals as evaluators and encourages the incorporation of research-based evaluation techniques such as those identified in the recent MET study.

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Fiscal Impact:

The committee recommends a phased implementation of the Career Ladder – moving all teachers to the new salary schedule initially, and increasing the compensation tied to each tier over time to reach the recommended pay levels of a 40/50/60,000 salary schedule. Such a model will entice individuals to enter the teaching profession and provide incentives for them to improve their craft and to remain in Idaho. The committee also believes that the Career Ladder approach provides enhanced accountability based upon performance. The total cost of a move to this salary schedule would be approximately \$200-\$250 million. Again, a multiple year approach could be implemented. A 5-6 year phase-in to include moving existing teachers to the new Career Ladder would cost approximately \$40 million per year.

Implementation Recommendation (2014)

A three rung Career Ladder for the school district appropriation implemented over a five year period. Movement on the ladder would be based on the teacher's level of certification.

A three tiered certification model where teachers move from an initial residency certificate to a professional certificate or master certificate. Movement from the residency certificate would be based on performance on the states teacher evaluation framework and student achievement or growth. Obtaining a master teacher certificate would be based on additional levels of teacher effectiveness and provide a continuum of professional growth for teachers.

Implementation

HB 296 was approved by the 2015 legislature establishing a Career Ladder (Section 33-1004B, Idaho Code) for instructional staff. School district salary based apportionment will be incrementally increased each year based on the career ladder until fully implemented in year five.

Fiscal Impact:

FY16:	\$28,162,425	\$33,504,838
FY17:	\$32,983,197	\$39,240,110
FY18:	\$44,555,772	\$53,008,002
FY19:	\$39,649,690	\$47,171,236
FY20:	\$34,474,173	\$41,013,924

HB 296 combined the recommendations from the subcommittee into a two rung Career Ladder and master teacher premium with the addition of a professional teacher endorsement as part of the certification requirements similar to the residency requirement recommendation.

13. Enrollment Model of Funding Schools (High Expectations Subcommittee)

Recommendation (2013)

We recommend a change from Average Daily Attendance (ADA) to Average Daily Enrollment/ Membership. This will enhance fiscal stability and remove current barriers to personalized and/or mastery learning models that are required to meet the State Board's 60 percent goal.

Implementation Recommendation (2014)

We recommend that the state continue with Average Daily Attendance as the basis for public school funding. However, we believe that the current formula needs to be updated and improved in a number of areas. To accomplish this work we recommend that a committee be formed comprised of representatives from large and small districts, charter and traditional schools, online schools, Department staff, and the Idaho Digital Learning Academy to explore possible solutions to the current funding formula.

Implementation

The recommended committee was formed and has started work to bring forward a recommendation that will address the areas outlined in the recommendations. In addition to this work, based on action taken during the 2015 legislature, the committee is also looking at the feasibility of moving Pupil Service Staff onto the Career Ladder.

The subcommittee will be bringing forward initial recommendations to the Board and the Governor in the fall, recommendations will include a multi-year process for updating the public school funding formula that addresses the varied modes of education available to students, mastery-based education, and increased mobility of students while at the same time creating greater fiscal stability for school districts.

14. Tiered Licensure (Career Ladder/Tiered Certification Subcommittee)

Recommendation (2013)

We recommend a continuum of professional growth and learning that is tied to licensure. Movement through the system would be accomplished in a very specific, objective way using performance measures.

The committee recommends a continuum of professional growth and learning that is tied to licensure. Movement through the system would be accomplished in a very specific, objective way using performance measures. Evaluations based upon the Framework for Teaching (FfT) will begin in pre-service and continue throughout a teacher's career. This performance assessment would be supported by multiple artifacts and evidence of the candidate's practice.

An additional recommended measure of candidate effectiveness should be the candidate's ability to develop student learning objectives in order to assess student growth over the period of the candidate's clinical practice. These performance-based

measures shall result in the development of an ongoing Individualized Professional Learning Plan (IPLP) created in partnership with the candidate's cooperating teacher and university supervisor. This plan (IPLP) will be submitted to the State Department of Education, along with the candidate's scores in the 22 components of the FfT, to inform required professional development and would also be collected as part of the state's longitudinal database on teacher performance and IHE performance. These documents will be required in order to apply for initial, novice licensure.

Implementation Recommendation (2014)

This recommendation is part of the 2014 recommendation for #12.

Implementation

Implementation of this recommendation is described under recommendation #12

15. Mentoring (Innovation and Collaboration/High Expectations Subcommittee)

Recommendation (2013)

We recommend that each district develop a mentoring program for the support of new teachers based on the Idaho Mentor Program Standards. These standards provide a vision and guidelines for local planners to use in the design and implementation of a high-quality mentor program for beginning teachers. We recommend the state provide funding support for a mentoring program.

Each district should develop a mentoring program for the support of new teachers that follows the guidelines of the Idaho Mentor Program Standards.⁶ These standards were developed in 2009 as a joint project of the Professional Standards Commission, the State Board of Education, and the State Department of Education in order to provide a vision and guidelines for local planners to use in the design and implementation of a high-quality mentor program for beginning teachers. These Program Standards require that representatives from across the educational community come together for initial planning and continue together to monitor and evaluate for program improvement.

The state should provide funding support for a mentoring program. It is noted that the cost of providing master teachers to act as mentors for novice teachers is integrated into the Career Ladder model; however, costs for substitutes, training of mentors, etc. would be needed. The best practice model which provides for a "release time" mentor, in which a trained mentor supports novice and struggling teachers, would require additional funding of approximately \$7,000 per novice/struggling teacher.

Implementation Recommendation (2014)

Implementation of this recommendation was address by two of the subcommittees and is tied into the implementation of recommendations #16 and #17.

Implementation

Fiscal Impact:

Current funding is available through leadership premiums.

FY16 Appropriation for leadership premiums: \$16,062,700

16. Ongoing Job-embedded Professional Learning (Innovation and Collaboration Subcommittee/High Expectations Subcommittee)

Recommendation (2013)

Teacher effectiveness is paramount to student success, and professional development is paramount to teacher effectiveness. Professional development must be regularly scheduled and ongoing. We recommend that districts provide regular professional learning opportunities, and we support ongoing funding for professional development. We recommend the use of the research-based standards of the National Staff Development Council known as Learning Forward. We further recommend that resources for educator learning be prioritized, monitored and coordinated at the state level.

Implementation Recommendation (2014)

We recommend that job-embedded professional development and collaboration be scheduled weekly based on school schedules and student needs. Schools that have already moved to job-embedded professional development should not be penalized and may use the additional funding to increase instructional time.

Implementation

Implementation of this recommendation is tied in with the implementation of #17.

17. Site-based collaboration among teachers and instructional leaders (Innovation and Collaboration Subcommittee)

Recommendation (2013)

Time to collaborate is critical to effective teaching and implementation of higher standards and technology. We strongly encourage districts to restructure the traditional school day schedule to allow for job-embedded collaboration time. We support the creation of professional learning communities that increase educator effectiveness and results for all students. We recommend providing training models to districts for their use in training the members of the professional learning communities, and encourage models that focus on team outcomes and collective responsibility.

Additional Recommendations

- Strongly encourage districts to restructure the traditional school day schedule to allow for job-embedded collaboration time.
- Create professional learning communities that increases educator effectiveness and results for all students.
- Provide training models to districts for their use in training the members of the professional learning communities.

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- Encourage models that focus on team outcomes and collective responsibility.

Recommendation (2014)

The school year contract days should be increased by three days (24 hours) to allow for additional paid job-embedded professional development and collaboration. This time should be construed separately from professional development training relating to Idaho Core Standards.

Job-embedded professional development and collaboration be scheduled weekly based on school schedules and student needs.

Collaboration skills training and the use of data to inform instruction training be available to all participating staff.

Fiscal Impact: Per day for all staff \$4-\$5 million/day

Implementation

FY16 appropriation included \$9,420,000 new funds for professional development in addition to the existing \$1,205,000 that was in the base for a total of \$10,625,000 for professional development.

FY17: Increase appropriation of \$2M - \$3M to cover three days.

18. Training and development of school administrators, superintendents and school boards (Innovation and Collaboration Subcommittee)

Recommendation (2013)

We recommend continued training and professional development of school administrators, superintendents and school boards. The committee supports further development and implementation of the Idaho Standards for Effective Principals and the pilot work being conducted in the 2013-14 school year to further explore effective performance measures for school administrators. This includes ongoing implementation and support for administrator training in assessing classroom performance through observation.

Implementation Recommendation (2014)

Further development and implementation of the Idaho Standards for Effective Principals, which includes ongoing implementation and support for administrator training in the Danielson Framework for Teaching model through TeachScape proficiency exams.

Implementation

Fiscal Impact: Funds are currently appropriated to cover the cost of providing the TeachScape training/proficiency exams to administrators. Administrative rule requires all administrators be able to show proficiency on conducting evaluations by 2018.

HB296 (2015) amended Section 33-1201, Idaho Code requires administrators earn credits in conducting teacher evaluations as part of their recertification requirements.

19. Provide enhanced pre-service teaching opportunities through the state's colleges of education

Recommendation (2013)

We support the efforts of Idaho's higher education institutions to increase and enhance clinical field experiences for pre-service teachers.

Implementation

Idaho's approved teacher preparation programs continue to work together through a coalition made up of our colleges of education at Idaho's public and private institutions to increase and enhance clinical field experiences.

20. Participation in the CCSSO's "Our Responsibility, Our Promise" recommendations to improve teacher preparation

Recommendation (2013)

We support Idaho's participation in implementing The Council of Chief State School Officers (CCSSO) "Our Responsibility, Our Promise" recommendations to help ensure that every teacher and principal is able to prepare students for college and the workforce.

Implementation

Idaho is participating in CCSSO's Network for Transforming Educator Preparation. Through this partnership Idaho has worked with other participating states to identify best practices as well as access to partnering organizations technical assistance.

The Board's FY17 budget request includes a request for one additional FTE, if funded this position will focus on teacher preparation programs and standards effectiveness and additional issues around teacher effectiveness. This work impacts Recommendation #19 and #20.

Fiscal Impact

FY17: Funding for one FTE at the program manager level within the Office of the State Board of Education to focus on teacher effectiveness and improvement of our state teacher preparation programs.

IDAHO BUSINESS FOR EDUCATION

SUBJECT

60% Attainment Goal and Task Force Recommendations

BACKGROUND/DISCUSSION

The Board adopted the 60% Attainment Goal in August of 2010, and since that time much work has been done to move the state forward toward that goal. In January 2013 the Governor's Task Force for Improving Education adopted the Board's goal that 60 % of Idahoans between the ages of 25 and 34 attain a postsecondary degree or credential by 2020. A key result of efforts to improve K-12 education is increasing high school graduation rates and ensuring that graduates go on to postsecondary education and are prepared to succeed in obtaining degrees, certificates or credentials. The 20 Task Force Recommendations, as well as the work of the implementation committees over the past two years, are focused on moving the state forward in attaining the 60% goal.

During the many meetings conducted over the two years of the Task Force and follow on implementation work, there were repeated discussions across all stakeholder groups regarding the role of the State Board Education in implementing the recommendations and communicating the importance of the 60% goal with the public as well as other state policy makers. While these discussions were not included in the specific policy recommendations, there was consensus amongst those at the table on what must happen at the state level if the recommendations were going to be effective at moving the state towards the 60% goal. Bob Lokken, Task Force Co-chair, IBE Vice-chair, and CEO of WhiteCloud Analytics will discuss the necessity of an ongoing focus on the 60% goal and specific actions for the Board to consider.

IMPACT

Provide the Board with an opportunity to discuss industry expectations for the Board and areas industry could help move the Board's initiatives forward.

BOARD ACTION

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

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SUBJECT

Literacy Implementation Subcommittee Recommendations

REFERENCE

September 2013	Board approves Taskforce for Improving Education recommendations.
February 2014	Board established committees to develop plans to implement the recommendations of the Governor's Task Force for Improving Education.
March 2015	Board staff convened the Literacy Committee to develop specific recommendations and legislative ideas for the Board. The membership was primarily drawn from members from the previous Literacy Task Force.
June 2015	Board approved legislative ideas to expand support for reading interventions, including funding for full-day kindergarten for students struggling to develop early reading skills.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Code 33-1614, 33-1615, 33-1616, and 33-1207A

BACKGROUND/DISCUSSION

The Literacy Implementation Subcommittee includes fourteen (14) individuals from across Idaho, including representatives from the State Board of Education (Debbie Critchfield), a legislator (Rep. VanOrden), State Department of Education, K-12 education, higher education, libraries (Commission and Association), and non-profits (Idaho AEYC, Idaho Business for Education, and Idaho Voices for Children). The committee has met six (6) times to review the Literacy Task Force's report and develop and present actionable recommendations to the State Board of Education and the Governor. Attached is the committee's July 2015 report. A summary of recommendations by topic area follows:

State Guidance

- We recommend the Comprehensive Literacy Plan be reviewed and revised every five (5) years, beginning with a revision in 2015. The Literacy Committee is currently in the process of editing the plan and intends to present a new Comprehensive Literacy Plan to the Board of Education at the December 2015 Board meeting.
- We recommend the state provide guidance to ensure that teachers are well-trained to provide high-quality literacy instruction. Specifically, we recommend that the Idaho Comprehensive Literacy Course requirements be reviewed and revised every five (5) years. Additionally, we recommend the state support job-embedded literacy professional development for currently practicing teachers.

Reading Interventions

- We recommend the state expand reading interventions for students who, based on their Idaho Reading Indicator (IRI) scores, are struggling to develop literacy skills.
- We recommend a substantial increase in funding for kindergarten interventions, including full-day kindergarten for those who score in the lowest performance category and substantial funding for districts to support full-day kindergarten or other significant interventions for students who score in the middle performance category (currently referred to as 2), but have not yet reached proficiency.
- We recommend that interventions be expanded to students in first through third grade who score in the middle performance category, but who have not yet reached proficiency.

Assessment

- We recommend that statutory language related to the Idaho Reading Indicator be revised to clarify purpose of the assessment and eliminate unnecessary and confusing details.
- We recommend the State Board of Education consider adopting a new early literacy assessment package to replace the assessment currently used for the Idaho Reading Indicator.

Other

- We recommend the state support renewal and expansion of school libraries by providing funding for districts to purchase books for their elementary schools.

IMPACT

Adoption of the recommendation will allow staff to continue work on bringing forward legislative proposals, as applicable, to move forward the recommendations and to work with the Governor and the legislature in implanting the recommendations as resources allow. Following adoption by the Board the recommendations will be forwarded to the Governor for consideration. If fully implemented in the timeframe outlined the estimated fiscal impact for FY17 would be \$11.9M and nearly \$8.6M for FY18. The total estimated fiscal impact at full implementation (over five (5) years) would be \$21.5M.

ATTACHMENTS

Attachment 1 – Literacy Committee Report and Recommendations Page 5

STAFF COMMENTS AND RECOMMENDATIONS

In recognition of the limited resources available and committee has ordered their recommendations in priority order and have outlined a five (5) year implementation plan. As outlined in the recommendations full implementation will take several years of additional work that include not only bringing forward an

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updated Idaho Comprehensive Literacy Plan pursuant to Section 33-1614, Idaho Code, but also include the multi-year processes of developing, testing, and implementing a new Idaho Reading Indicator that better meets the needs of the school districts and students.

Given the resources available and the projected fiscal impact, it is understood that all recommendations may not be able to be implemented in the timeframe outlined in the recommendations. Board staff recommends adoption and support of the Literacy Implementation Subcommittee's report and recommendations in priority order as presented in Attachment 1.

BOARD ACTION

I move to adopt the Literacy Implementation Subcommittee recommendations in priority order as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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**Literacy Committee
Report and Recommendations**

Members:

Stephanie Bailey-White	Projects Coordinator, Idaho Commission for Libraries
Lisa Boyd	Principal, Desert Springs Elementary School, Vallivue School District
Hollis Brookover	Vice President of Development, Idaho Business for Education
Mary Ann Cahill	Associate Professor, Boise State University
Michele Capps	Superintendent, Murtaugh School District
Alejandra Cerna Rios	Outreach Specialist, Idaho Voices for Children
Debbie Critchfield	Member, State Board of Education
Meghan Graham	3 rd grade Teacher, Sage International School of Boise
Alison Henken	K-12 Accountability and Projects Manager, Idaho Office of the State Board of Education
Stephanie Lee	Assessment Specialist, Idaho State Department of Education
Natalie Nation	Representative, Idaho Library Association
Beth Oppenheimer	Executive Director, Idaho Association for the Education of Young Children
Diann Roberts	English Language Arts/Literacy Coordinator, Idaho State Department of Education
Julie VanOrden	House of Representatives, District 31, House Education Committee

Subcommittee Charge: to further refine the following recommendations of the Governor's Task Force:

#3 Literacy Proficiency

Subcommittee Deliverables:

- **Recommendations on changes to Idaho Code to expand state-supported literacy interventions for struggling early readers.**
- **Recommendations on identifying and implementing a new early literacy assessment package.**
- **Recommendations on changes to Idaho Code to refine the language related to the Idaho Reading Indicator (IRI).**
- **Recommendations on literacy training through teacher preparation and professional development.**
- **Presentation of a substantially revised Idaho Comprehensive Literacy Plan to replace the one approved by the State Board of Education in 1998.**

Objectives and Components:

The objective is to support the State's goal to have 60% or more of its students prepared for career or college by ensuring students have the literacy skills needed to succeed in primary and secondary schooling and the postsecondary path of their choice.

To achieve this goal, Idaho must develop a system to support K-12 literacy that includes the following components:

- **Strong leadership and collaboration** are needed at all levels, from statewide agencies to local schools, to ensure that schools, teachers, students, and parents have the support and resources they need to guide students to high levels of literacy. Funding and resources are critical and must be provided by the state. Additionally, we must also ensure that district and school leaders are well-trained and supported in developing schools that have a strong, positive culture that supports teachers in guiding all students to develop strong literacy skills.
- **Effective instruction** is crucial to ensuring that struggling students receive the support they need while on-level and advanced students are pushed to high levels of excellence. Effective instruction happens when teachers are well-prepared to implement rigorous content standards in ways that engage students.
- **Assessment and data** should be used responsibly and effectively to inform state policy, and more importantly, to guide educational practice. Districts and schools should use data to ensure programs and strategies are effective. Teachers should review student data and adjust their daily instruction. Finally, student-level data should be used by teachers, students, and parents to develop educational plans and goals that address each student's challenges and harness their unique strengths and interests.

Recommendations:

1. **We recommend that the State expand support for reading interventions for struggling early readers.**
 - a. Research demonstrates the importance of screening kindergartner's reading skills and providing early interventions to address literacy skills gaps early and put students on a path to literacy proficiency and academic success.¹ Additionally, full-day kindergarten has been found to be beneficial, particularly for low-income students, English language learners, and those who have demonstrated a need for

¹ Bianco, et al, 2012; Cavanaugh et al, 2004; Conner et al, 2014; Lennon & Slesinski, 1999; Vellutino et al, 2006

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additional support.² Thus, we recommend providing expanded funding for reading interventions for kindergarten students who are struggling to develop reading skills.

We recommend the state fund full-day kindergarten for students who score in the lowest performing category (below basic) on the Idaho Reading Indicator (IRI).

Additionally, we recommend providing substantial funding that could be used by district for either full-day kindergarten or substantial interventions for students who score in the middle (basic) category on the IRI.

To prevent any delay in provision of services, the funding for kindergarten students should be calculated based on the average number of students who performed in each category over the past three years, thus allowing funding to be provided at the beginning of the school year (with the August payment). Funding can then be adjusted after students have taken the fall IRI.

- b. We recommend the state provide expanded support for reading interventions for students in grades 1 through 3 who have not yet reached reading proficiency.

Currently, the state provides some support for interventions for students who score in the lowest performance category (below basic) on the IRI; per statute, schools must provide these students with 40 hours of supplemental instruction. However, there is currently no similar requirement or funding for students who score in the middle performance category (basic), though they have not yet demonstrated proficiency at grade level. We believe that it is important to ensure these students receive the support they need to reach grade level proficiency by the end of the third (3rd) grade. Thus, we recommend that schools be required to provide these students with at least 20 hours of supplemental instruction and that the state provide funding to support this work.

- c. We recommend that statute be adjusted to clarify that funding for reading interventions will be provided to students who take the Idaho Reading Indicator-Alternative (IRI-Alt) assessment. Funding for interventions is currently only provided for students who complete the IRI test designed for the general population. Approximately 1% of Idaho's students who have significant cognitive impairments qualify to take the IRI-Alt assessment; however, interventions are not funded for these students, despite the fact that these students usually need substantial reading support. As a result, in practice, some schools have been administering the general IRI to students who qualify for the IRI-Alt in order to qualify them for intervention funding. The student is subjected to an unnecessary test and the resulting data is not useful for the school. We recommend eliminating this issue by specifying in Idaho Code that students may qualify for reading intervention funding based on their score on the IRI or IRI-Alt.

² Ackerman, Barnett, & Robin, 2015; Gibbs, 2014; Hahn et al, 2014; UNLV, 2015

2. We recommend the state adopt a new literacy assessment package.

- a. The assessment currently used as the Idaho Reading Indicator is outdated and does not meet the state's needs. We recognize the following issues with the current assessment:
- It does not test a student's reading comprehension skills, and thus, is not well-aligned to Idaho Core Standards.
 - The test currently being used for the IRI is designed to be a screening assessment. However, because it is the only statewide literacy assessment for early grades, the state is currently relying on data from this assessment to inform us of our students' literacy skills and the performance of our schools. Because the test is short and does not measure reading comprehension, this practice is far from ideal.
 - Because the state has not provided guidance and support for diagnostic assessments, some schools rely on IRI data to make important decisions about the types of interventions and supports that students need. Schools need separate, high-quality diagnostic assessments that will provide them with detailed information about students' specific areas of strength and challenge so they can create individualized interventions.
- b. We believe it is critical for the state to identify and adopt one or more high-quality assessments that meet the needs of schools and the state. We recommend the following process for identification and implementation of a new assessment or assessment package:
- We have created a Literacy Committee sub-group- the Assessment Working Group, which is tasked with reviewing available literacy assessments and providing the Literacy Committee with recommendations regarding the best assessment options for Idaho. The Assessment Working Group will provide its recommendations to the Literacy Committee by April 2016, and if adopted by the Literacy Committee, these recommendations will be provided to the State Board of Education in June 2016.
 - We have recommended that the Assessment Working Group be highly cognizant of the need to balance using assessments appropriately and receiving high-quality data with the logistical and time challenges faced by Idaho's schools.
 - We recommend the new assessment be implemented over the process of three years beginning with validity testing of the new assessment in the 2017-2018 school year and field testing and full implementation in the two following years.

3. We recommend revising statutory language related to the Idaho Reading Indicator (IRI) to clarify the purpose of the assessment and eliminate unnecessary and confusing details.

- a. We recommend revising I.C. Section 33-1614 to improve or delete outdated language and eliminate unnecessary details about the Idaho Reading Indicator (IRI), thus allowing the state to implement the appropriate assessment with State Board of Education approval without needing to adjust statute to align to assessment changes in future years. We further recommend adding a sentence from Section 33-1616 regarding district reporting of IRI scores, as it is appropriate to have the reporting instructions for districts be in the same location as the reporting instructions for the State Department of Education (SDE).
- b. We recommend aligning the IRI performance category names to align to the categories currently used for the ISAT. Specifically, we recommend adjusting the performance category names as outlined below. The scoring categories will be clearly outlined in the new Idaho Comprehensive Literacy Plan. Additionally, we recommend aligning references in Section 33-1615 to these updated performance categories.

Old Name	Recommended Name
One (1)	Below Basic
Two (2)	Basic
Three (3)	Proficient

- c. We recommend eliminating Idaho Code Section 33-1616, as the outlined IRI goals are outdated and unnecessary and the reporting process outlined requires additional work by the SDE to identify schools that do not meet these targets. Section 33-1614 already requires the SDE to report the reading assessment scores of all schools; the additional step of identifying schools who do not meet state targets is unnecessary and perceived to be punitive in nature.

4. We recommend the state provide guidance and support to ensure that teachers are well-trained to provide high-quality literacy instruction.

- a. We believe it is critical that the Idaho Comprehensive Literacy Course be reviewed and revised on a regular basis to ensure that Idaho's colleges and universities are as effective as possible in preparing new teachers to address students' literacy learning needs. Therefore, we have asked the Idaho Higher

Education Literacy Partnership (IHELP), in partnership with the Education Deans from the colleges and universities, to review Administrative Rule and practice related to the Idaho Comprehensive Literacy Course and make recommendations to the Literacy Committee for updates / change.

To ensure that similar reviews are done on a regular basis, we recommend that the State Board of Education amend Administrative Rule to designate that the State Board of Education will convene a committee every five (5) years to review and revise, as necessary, the Idaho Comprehensive Literacy Course.

- b. In alignment with the Governor's Task Force for Improving Education's recommendations related to professional development, we recommend that the state commit to providing ongoing, effective literacy professional development for teachers. We recommend that Idaho Code be amended to give the State Department of Education clear responsibility for providing professional development, and that the types of appropriate, effective literacy professional development (such as job-embedded) be clearly outlined in the Idaho Comprehensive Literacy Plan.

5. We recommend that the state's Comprehensive Literacy Plan be revised and refined to provide a clear, updated guide to improving the literacy outcomes of the Idaho's students.

- a. We recommend substantially rewriting the Idaho Comprehensive Literacy Plan using a draft created by the State Department of Education (but not formally adopted by the Board) in 2012. We intend to reorganize the plan to clarify the roles various entities (state government, districts, schools, community, and parents) have in ensuring students develop strong literacy skills. Additionally, we will update the plan to ensure that it represents recent research and best practices.
- b. We believe it is critical that the Idaho Comprehensive Literacy Plan be reviewed and revised on a regular basis to ensure that it remains relevant and is put into action. Therefore, we recommend that the State Board of Education amend Administrative Rule to designate that the State Board of Education will convene a committee every five (5) years to review and revise, as necessary, the Idaho Comprehensive Literacy Plan.

6. We recommend the state support expansion and renewal of school libraries.

- a. We recommend the state provide funds to ensure that school libraries are well-stocked with current books to support access to print for all Idaho children. The International Reading Association and the American Library Association recommend that "Libraries must purchase a sufficient number of new books per

student, and they must make a concentrated effort to replace older materials for each classroom and school library on an annual basis.”³ School libraries should possess a minimum of twenty (20) books for each student to allow for access to print and independent reading. Schools should purchase new, quality books at the rate of two (2) books per student per year for a classroom library.⁴ While Idaho’s secondary schools typically have some funding for library renewal, the state’s elementary schools often struggle to identify funds for this purpose. Thus, we recommend the state provide funding to allow the state’s elementary schools to purchase two (2) books per student per year for students in kindergarten through fifth grade. Recent research shows that a child’s ability to independently select reading material results in statistically significantly higher improvements in reading scores than the scores of children who are assigned a reading list or who do not have sufficient access to print materials.⁵

Definitions of Key Terms

“60%” or “60% Goal” refers to the Idaho State Board of Education’s goal to have 60% or more of its citizens entering the workforce with some form of postsecondary degree or certificate (1, 2, 4, or more) by 2020. The supporting goal is that Idahoans age 25-34 will have achieved the 60% goal. The Literacy Committee’s has focused on developing strategies to ensure that students in the K-12 system develop the literacy skills needed to successfully pursue postsecondary degrees or certificates.

“Screening assessment” refers to an assessment given “to determine whether students may need specialized assistance or services, or whether they are ready to begin a course, grade level, or academic program.”⁶ These simple, time-efficient, and objective measures produce data, including reading levels, to inform judicious real-time instructional decisions, thus enabling true individualization of instruction at the student’s point of learning.

“Diagnostic assessment” refers to an assessment given to identify a student’s specific learning challenges and needs and, as appropriate, diagnose learning disabilities to determine eligibility for special education services. These assessments are typically administered after a student’s results on a screening assessment have identified the student as in need of support; they provide more detailed information related to the student’s abilities and knowledge and are typically related to a specific content area.

Appendices

A. Fiscal Impact of Literacy Committee Recommendations

³ International Reading Association, 2000

⁴ International Reading Association, 2000

⁵ State Library of North Carolina, n.d.

⁶ Glossary of Education Reform, n.d.

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PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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Appendix A: Fiscal Impact of Literacy Committee Recommendations

			Fiscal Impact					
Recommendation / Activity		Cost Breakdown	FY17	FY18	FY19	FY20	FY21	TOTAL
1.b.	Review & revision of ID Comprehensive Literacy Plan, every 5 yrs	Costs based on Literacy Committee costs for travel and food / meeting expenses					6,000.00	6,000.00
3.a.	Kindergarten reading interventions							0.00
	Full day K for students who score below basic on IRI	4,251 students x \$2,310 (see below for more details)	9,819,232.50					9,819,232.50
	Full day K or substantial intervention for students who score basic on IRI	5,475 students x \$1,155 (see below for more details)		6,323,336.25				6,323,336.25
3.b.	20 hour interventions for students in grades 1-3 who score basic on IRI	15,487 students x \$53.27 (see below for more details)	824,902.90					824,902.90
3.c.	Interventions for students who score basic or below basic on the IRI-Alt	691 students x \$106.53 (see below for more details)	73,579.31					73,579.31
4	New early literacy assessment / assessment package	Cost is currently unknown- X marks the years when funding will be needed		X	X	X		0.00
5.a.	Review & revision of ID Comprehensive Literacy Course, every 5 years	Costs based on Literacy Committee costs for travel and food / meeting expenses					6,000.00	6,000.00
5.b.	Job-embedded literacy professional development	Expansion of funding for literacy coaches		1,300,000.00				1,300,000.00
6.a.	Books for school libraries	Total is 2 books per student per yr, grades K-5: 135,974 students x \$23.46 per student, with funding split over 3 years. (see below for more details)	1,189,950.00	1,000,000.00	1,000,000.00			3,189,950.00
TOTALS			11,907,664.71	8,623,336.25	1,000,000.00	0.00	12,000.00	21,543,000.96

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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Cost Breakdown Details

- 3.a. The number of students included in the calculations for 3.a. and 3.b. are the average number of students who performed in each category- below basic / 1 and basic / 2
- 3.b. on the fall IRI for the past four school years (2011-12, 2012-13, 2013-14, 2014-15)
- 3.a. The cost per student for full-day kindergarten for students who score below basic on the IRI is the 2014-2015 kindergarten ADA x 2. The new cost (fiscal impact), therefore, is the same as the current ADA (\$2,310), since it is a doubling of funding for these students.
- The cost per student for full-day kindergarten or substantial intervention for students who score basic on the IRI is the 2014-2015 kindergarten ADA x 1.5. The new cost (fiscal impact), therefore, is the same as half current ADA (\$2,310), or \$1,155.
- 3.b. The cost per student for 20-hour interventions for students in grades 1-3 who score a basic on the IRI was calculated based on the average amount spent per student for 40-hours of intervention (including transportation) for three years (2011-12, 2012-13, 2013-14) divided by 2, since these interventions will be funded at half the rate of the 40-hour interventions.
- 3.c. The cost for interventions for students who take the IRI-Alt was difficult to calculate for two reasons: 1) this information is not currently tracked at a statewide level; 2) some students who qualify for and should take the IRI-Alt have been given the regular IRI in order for their school to qualify for intervention funding. Thus, the fiscal impact was estimated at the maximum total number of students who may take the IRI-Alt test (federal law limits it to no more than 1% of the full student population) at the 40-hour intervention cost. However, it is worth noting that because some of these students may have been receiving funding in the past (because they were guided to take the regular IRI), this estimate is likely to be higher than the actual new cost will be.
- 6.a. The student number used for this calculation is the total K-5 fall enrollment for 2014-2015, as reported by the Idaho State Department of Education. The book cost reflects 2 books per student at an average cost of \$11.73 per book. This average cost is based on data from the School Library Journal (http://www.slj.com/2015/03/research/sljs-average-book-prices-2015/#_) assuming 65% of books will be hardback at \$14.49 per book (because renewals efforts should include as many new releases as possible) and 35% will be paperback at \$6.61 per book. These per book costs assume a 25% discount from vendors for buying in bulk; this discount rate is based on a committee member's communication with vendors.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 13, 2015

SUBJECT

Expand the compulsory attendance age to age six (6) to eighteen (18) or a high school degree or its equivalent, whichever is first.

REFERENCE

June 18, 2015

The Board considered expanding compulsory attendance as part of its legislative proposals. The Board chose to remove compulsory attendance from the legislative agenda and requested more information for further consideration.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-201, and 202, Idaho Code

BACKGROUND/DISCUSSION

Section 33-202, Idaho Code, establishes the compulsory school attendance age for Idaho from age seven (7) to age sixteen (16). To accomplish this, a parent or guardian shall either cause the child to be privately instructed by, or at the direction of, his parent or guardian; or enrolled in a public school or public charter school, including an on-line or virtual charter school or private or parochial school during a period in each year equal to that in which the public schools are in session.

Pursuant to section 33-201, Idaho Code, the current definition of "school age" is between the age of (5) and twenty-one (21) and except under certain circumstances public schools may only provide education to children of school age. Pursuant to Section 33-119, Idaho Code, elementary schools are defined as providing grades one (1) through six (6) or any combination thereof and are funded based on full time average daily attendance for students starting in first grade, which has a traditional start age of six (6) with age seven (7) being the traditional start age for second grade. Furthermore, it is rare for a high school student to earn a high school degree or equivalent by age sixteen (16).

In 2011, there were more than 900 first-time Idaho students who were seven (7) years old. That number has dropped to more than 600 in 2014. At the same time, Idaho had more than 700 exiters who were age sixteen (16). In 2014, that population increased to more than 1,500 students.

Based on a recent report by the Education Commission of the States, twenty-four (24) states and the District of Columbia require students to attend school until they turn eighteen (18) and Idaho is one (1) of fifteen (15) states that only require students to attend until they turn sixteen (16). On the lower end of the age range twenty-four (24) states require attendance of students at the age of six (6) and an additional nine (9), including the District of Columbia, require attendance starting at age five (5). Many states who have expanded their compulsory attendance requirements in recent years have done so to help reduce drop-out rates at the

upper end and to increase academic achievement throughout the students educational experience by increasing the rates at the lower end.

Expanding the compulsory attendance age to age six (6) to eighteen (18) or a high school degree or its equivalent, whichever is first, aligns to several existing state policies and goals. First, the State Board's strategic plan includes a goal of 60% of Idahoans age twenty-five (25) to thirty-four (34) earning a postsecondary certificate or degree by the year 2020. In order to obtain a postsecondary education, a high school degree or its equivalent is necessary.

Second, research by Georgetown University shows that of the available jobs in 2018, only two point five percent (2.5%) will require less than a high school degree, and only nineteen percent (19%) will require a high school degree or GED, leaving seventy-eight percent (78%) to require a post-secondary education, credential or more. Students to leaving high school prior to achieving a high school degree or equivalent will severely diminish their employability.

Third, state law defines elementary school as providing first grade (Section 33-119) and defines age six (6) as the start age for first grade (Section 33-201). This creates a conflict in that public school districts provide first grade, but students are not required to attend at the age identified in state law as start age for first grade. Fourth, this proposal does not change the acceptable venues for schooling during ages six (6) to eighteen (18) or a high school degree or equivalent, whichever is first. It would still be acceptable for a student to be home schooled or enrolled in a public school or public charter school, including an on-line or virtual charter school, or private or parochial school during a period in each year equal to that in which the public schools are in session.

The research on compulsory attendance is mixed. National research showed that students who have just turned sixteen (16) in states with an age sixteen (16) minimum schooling requirement have a larger decline in enrollment than students who have just turned sixteen (16) in states with an age seventeen (17) or eighteen (18) schooling requirement. The same research predicted that almost twenty-five percent (25%) of the age sixteen (16) exiters would stay in school with compulsory attendance laws. In 2014, that would have equated to nearly four hundred (400) Idaho students who could have been retained.

Not all states that changed their compulsory school attendance age saw their dropout rate decrease. At the same time, some states that did not change their compulsory attendance age saw drop-out rates decrease. However, there are benefits beyond changes in the drop-out rate. For example, research from the University of Toronto showed that lifetime wealth increases by twelve percent (12%) for those students required to attend an extra year of schooling. The National Center for Education Statistics review of median annual earnings by education level showed that in 2013, the median annual earnings of a full-time

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employee without a high school credential was \$23,900 compared to \$30,000 for those with a high school credential.

IMPACT

If approved, legislation would be brought back to the Board for consideration at a later date prior to submittal to the Governor's Office for consideration. The Board may choose to at that time to move forward or postpone legislation changing the compulsory school attendance age.

ATTACHMENTS

Attachment 1 - Presentation

Page 5

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval of the motion.

BOARD ACTION

I move to include on the 2016 legislative agenda the proposal to expand the compulsory attendance age to age 6 to 18 or a high school degree or its equivalent, whichever is first.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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Compulsory Attendance

Presentation to the Idaho State Board of Education

August 13, 2015



Idaho State
Board of Education

Current Law

- ▶ 33-201. SCHOOL AGE. The services of the public schools of this state are extended to any acceptable person of school age. "School age" is defined as including all persons resident of the state, between the ages of five (5) and twenty-one (21) years...For a child enrolling in the first grade, the age of six (6) years must be reached on or before the first day of September of the school year in which the child is to enroll.
- ▶ 33-202. SCHOOL ATTENDANCE COMPULSORY. The parent or guardian of any child resident in this state who has attained the age of seven (7) years at the time of the commencement of school in his district, but not the age of sixteen (16) years, shall cause the child to be instructed in subjects commonly and usually taught in the public schools of the state of Idaho. To accomplish this, a parent or guardian shall either cause the child to be privately instructed by, or at the direction of, his parent or guardian; or enrolled in a public school or public charter school, including an on-line or virtual charter school or private or parochial school during a period in each year equal to that in which the public schools are in session; there to conform to the attendance policies and regulations established by the board of trustees, or other governing body, operating the school attended.



Idaho State
Board of Education

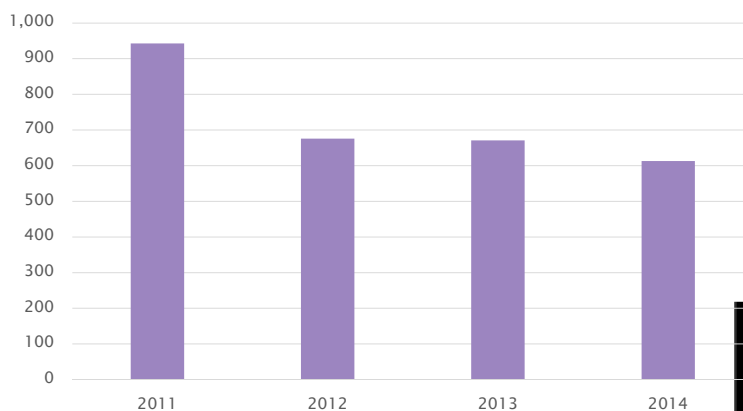
How Idaho Compares (2013)

- Idaho has a higher minimum age and lower maximum age than most states.

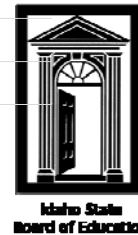
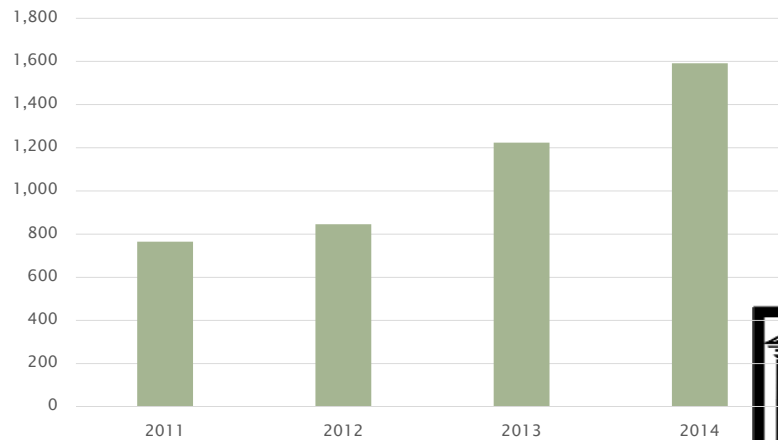
Minimum Age	Maximum Age			Total
	16	17	18	
5	2	2	5	9
6	12	4	9	25
7	9	2	4	15
8	0	1	1	2
Total	23	9	19	51



7 Yr. Old First-Time Students



16 Yr. Old Exiters



Proposal

- ▶ Expand the compulsory attendance age to six (6) to eighteen (18) or a high school degree or equivalent, whichever is first.
 - No change in the allowable venues for schooling:
 - Home school
 - Parochial
 - Private
 - Public school
 - Public charter school
 - Online virtual public charter school

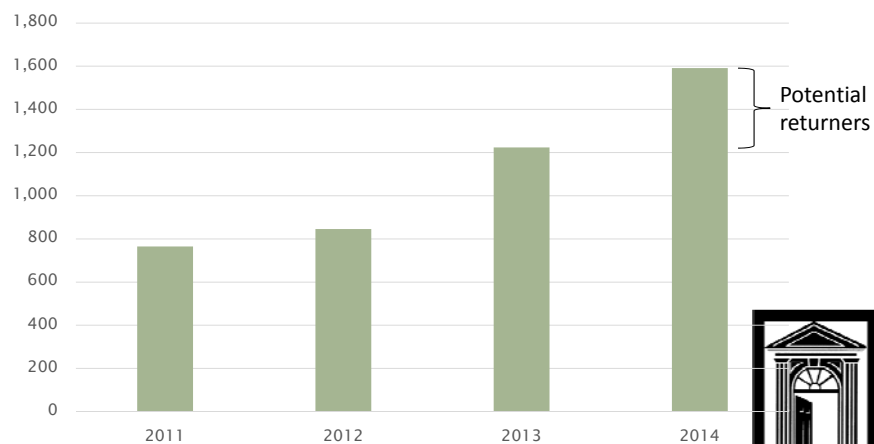


Expanding the Compulsory Attendance Age...

- ▶ Aligns with the State Board's goal of 60% of Idahoans age 25-34 having a postsecondary certificate or degree by 2020.
 - A high school degree or its equivalent is required for admission to a postsecondary degree program.
 - Impacts the high school graduation rate and drop out rate.



16 Yr. Old Exiters

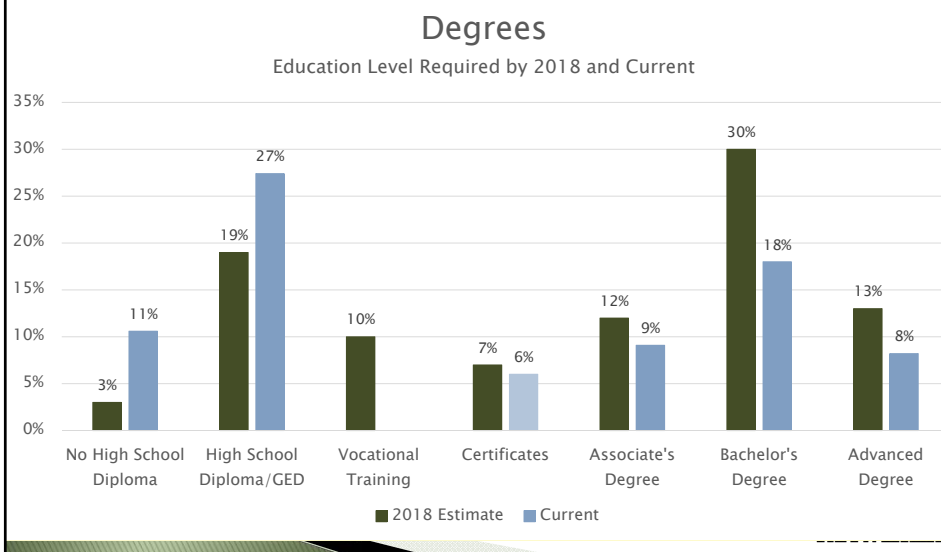


Expanding the Compulsory Attendance Age...

- Improves employability of young Idahoans.
 - In 2018, 2.5% of available jobs will require less than a high school degree, and 19% will require a high school degree or GED.
 - 78% of jobs will require a postsecondary education, certificate or more.
 - Individual earnings increase with additional education and higher level jobs.

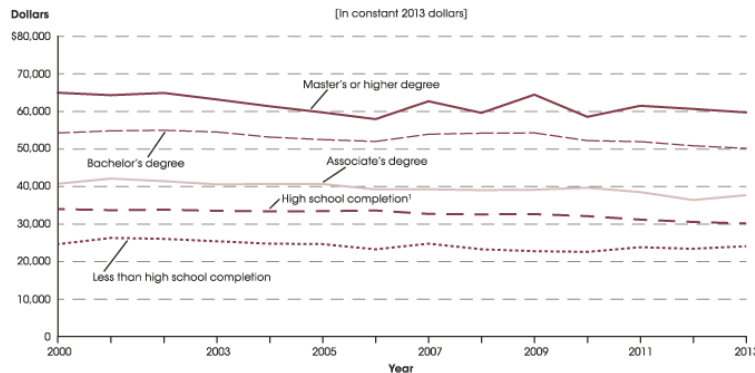


Economic Returns



Economic Returns

Median annual earnings of full-time year-round workers ages 25-34,
by educational attainment: 2000–2013



Source: <https://nces.ed.gov/fastfacts/display.asp?id=77>

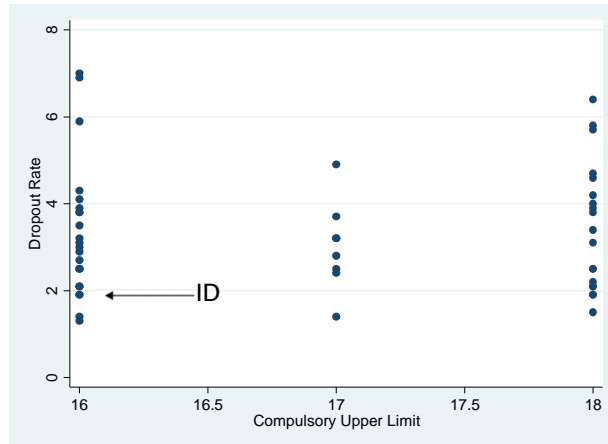


Expanding the Compulsory Attendance Age...

- ▶ Aligns existing state law.
 - Section 33-119 defines an elementary school as providing first grade.
 - Section 33-201 defines age six (6) as the start age for first grade.
 - Section 33-202 does not require attendance until age seven (7).



Dropout Rates by State



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PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 13, 2015

SUBJECT

Proposed Rules IDAPA 08.01.09 – Rules Governing the GEAR UP Idaho Scholarship Program

REFERENCE

June 2011	Board approved proposed rule changes to IDAPA 08.01.09, Rules Governing GEAR UP Idaho Scholarship
November 2011	Board approved pending rule, Docket 08-0109-1101, amending the GEAR UP Idaho Scholarship
June 2013	Board approved proposed rule changes to IDAPA 08.01.09, Rules Governing GEAR UP Idaho Scholarship
October 2013	Board approved pending rule, Docket 08-0109-1301, amending the GEAR UP Idaho Scholarship

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative Code, IDAPA 08.01.09

BACKGROUND/DISCUSSION

The GEAR UP Idaho Scholarship is the scholarship component of the Federal GEAR UP grant. The scholarship is available to student who attended a school participating in the GEAR UP program and who participated in the programs early intervention component in grades seven (7) through ten (10). To be eligible for participation the student must have graduated in 2012, 2013, or 2014. During this past award cycle a number of areas within the rule were identified as needing further clarification.

The proposed amendment to IDAPA 08.01.09 will allow applications to be submitted after March 1, and specify that applications received after that date may not receive an award until the following year, expand the scholarship award renewal period from eight continuous semester to 10, reduce the number of days prior to the first day of the academic term for students who have an interruption in their enrollment, and provide additional clarity to the initial application process, the selection of recipients, and continuing eligibility requirements and would make technical corrections. The GEAR UP Idaho Scholarship is a federal program and subject to the federal regulations for the program.

IMPACT

The proposed changes will provide for efficiencies in the administration of the scholarship awards as well provide clarity for individuals applying for the scholarship.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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ATTACHMENTS

Attachment 1 – Proposed Rule Changes to IDAPA 08.01.09

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 if they are not rejected by the Legislature.

BOARD ACTION

I move to approve the Proposed Rule changes to IDAPA 08.01.09 as submitted.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 13, 2015

IDAPA 08
TITLE 01
CHAPTER 09

08.01.09 - RULES GOVERNING THE GEAR UP IDAHO SCHOLARSHIP PROGRAM

500. CONTINUING ELIGIBILITY.

To remain eligible for renewal of a GEAR UP Idaho scholarship, the recipient must comply with all of the provisions of the GEAR UP Idaho Program and these rules, in addition to the following requirements: (3-29-12)

01. Renewal Application. A scholarship recipient must complete and submit a renewal application in order to be considered for a continuing scholarship for each succeeding year. A completed application for the renewal of a GEAR UP Idaho scholarship must be submitted to the Board electronically by the date established on the application, but not later than March 1 to be eligible to receive the award for the next academic year. An applicant without electronic capabilities may submit an application on the form established by the GEAR UP Idaho Program administrator through the United States Postal Service, which must be postmarked no later than March 1. In addition, a scholarship recipient must update and submit the FAFSA on or prior to March 1 to be eligible to receive the award for the next academic year, applications received after this day may be considered for awards for the next academic year contingent on availability of funds and attending institution deadlines. (3-20-14)

02. Credit Hours. To remain eligible for renewal of a scholarship award, the scholarship recipient must be enrolled as a full-time student and have completed a minimum of twenty-four (24) credit hours or its equivalent for the academic year in which the student received a scholarship award. (3-20-14)

03. Satisfactory Academic Progress. To remain eligible for renewal of a scholarship, the scholarship recipient must have maintained a minimum cumulative grade point average of two point zero (2.0) on a scale of four point zero (4.0) during the time that the recipient received an award, and must be maintaining satisfactory academic progress, consistent within federal financial regulations as implemented at the eligible Idaho postsecondary educational institution at which the scholarship recipient was enrolled. (3-20-14)

04. Transfer Students. Scholarship recipients who transfer to another eligible institution remain eligible for scholarship renewal and must inform the administrator no later than March 1-the end of the next academic period following the transfer. (3-20-14)

05. Maximum Scholarship Award. The award of a GEAR UP Idaho scholarship shall not exceed the equivalent of eight (8)ten (10) continuous semesters or the equivalent of four (4)five (5) continuous academic years. (3-29-12)

501.--- 599. (RESERVED)

600. MISCELLANEOUS PROVISIONS.

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

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 13, 2015

| military service in the United States armed forces, medical circumstances, or other circumstances approved by the state board of education's executive director. All requests for extension must be made ~~sixty (60)~~thirty (30) days prior to the start of the succeeding academic year. (3-20-14)

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 13, 2015

SUBJECT

Proposed Rules IDAPA 08.01.13 – Rules Governing the Opportunity Scholarship Program

REFERENCE

October 2012	Board approved legislation consolidating and streamlining the state scholarships managed by the Board Office
June 2013	Board approved proposed rule amendments bringing IDAPA 08.01.13 into alignment with SB1027 (2013) changes.
November 2013	Board approved pending rule bringing IDAPA 08.01.13 in alignment with SB1027 (2013) changes.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative Code, IDAPA 08.01.13
Chapter 56, Title 33, Idaho Code

BACKGROUND/DISCUSSION

Proposed changes to IDAPA 08.01.13 would make technical corrections and clarify the eligibility and application requirements for the scholarship applicants. Technical corrections include specifying the grade point average used is the cumulative, unweighted grade point average, authorization for the Board's Executive Director to establish the application form, and clarification that after the initial awards are made, if based on the student acceptance rate, there are additional funds available to be awarded, those awards may be made after the June 1 initial award date deadline.

Additional changes allow the executive director to approve extension of the award for those students who have earned over one-hundred (100) credits and will not be able to complete their program of study within two (2) semesters if there are extenuating circumstances. Further, the credit hour requirements have been amended to twenty-four (24) credits in an academic year rather than twelve (12) credits in each semester.

IMPACT

The proposed changes will provide for efficiencies in the administration of the rule as well provide clarity for individuals applying for the scholarship. The proposed rule, if accepted by the legislature, would take effect at the end of the 2016 legislative session.

ATTACHMENTS

Attachment 1 – Proposed Rule Changes to IDAPA 08.01.13

Page 3

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 13, 2015

STAFF COMMENTS AND RECOMMENDATIONS

FY16 is the first full implementation year of the legislative changes that were made during the 2013 legislative session. Proposed changes are based on circumstances that have arose with applicants as well as feedback from the institutions.

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 if they are not rejected by the Legislature.

BOARD ACTION

I move to approve the proposed rule changes to IDAPA 08.01.13 as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 13, 2015

IDAPA 08
TITLE 01
CHAPTER 13

08.01.13

- RULES GOVERNING THE OPPORTUNITY SCHOLARSHIP PROGRAM

000. LEGAL AUTHORITY.

In accordance with Sections 33-105, 33-5605, and 33-5606(2)(c), Idaho Code the State Board of Education (Board) shall promulgate rules implementing the provisions of Title 33, Chapter 56, Idaho Code. (4-2-08)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 08.01.13, "Rules Governing the Opportunity Scholarship Program." (4-2-08)

02. Scope. These rules constitute the requirements for the Opportunity Scholarship Program. (4-2-08)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, written interpretations, if any, of the rules of this chapter are available at the Board. (4-2-08)

003. ADMINISTRATIVE APPEALS.

Unless otherwise provided for in the rules of the Board or in the Board Governing Policies and Procedures, all administrative appeals allowed by law shall be conducted as provided herein. (4-2-08)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into these rules. (4-2-08)

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. (4-2-08)

02. Street Address. The offices of the Board are located at 650 W. State Street, Boise, Idaho. (4-2-08)

03. Mailing Address. The mailing address of the Board is P.O. Box 83720, Boise, Idaho 83720-0037. (4-2-08)

04. Telephone Number. The telephone number of the Board is (208) 334-2270. (4-2-08)

05. Facsimile. The facsimile number of the Board is (208) 334-2632. (4-2-08)

06. Electronic Address. The electronic address of the Board of Education at www.boardofed.idaho.gov. (4-2-08)

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are subject to the provisions of the Idaho Public Records Act, Title 9, Chapter 3, Idaho Code. (4-2-08)

007. -- 009.

(RESERVED)

010. DEFINITIONS.

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01. Grade Point Average (GPA). Means the ~~average-cumulative, unweighted grade point average~~ grade earned by a student, figured by dividing the grade points earned by the number of credits attempted. (3-20-14)

011. -- 100. (RESERVED)

101. ELIGIBILITY.

01. Undergraduate Student. An eligible student must be pursuing their first undergraduate certificate or degree. A student may have received multiple certificates or degrees as part of the natural progression towards a recognized baccalaureate degree program. A student who is enrolled in a graduate program, but who has not yet earned a baccalaureate degree, is not eligible for an opportunity scholarship. A student enrolled in an undergraduate program is eligible for consideration for an opportunity scholarship, even if some of the student's courses are at the graduate level. (3-20-14)

02. Academic Eligibility. (4-2-08)

a. Applicants for the opportunity scholarship are selected as recipients, in part, on the basis of their cumulative unweighted GPA. (3-20-14)

b. To be eligible for an opportunity scholarship, an applicant must meet minimum academic eligibility criteria, as follows: (3-20-14)

i. A student who has not yet graduated from secondary school or its equivalent in the state of Idaho must have an un-weighted minimum cumulative grade point of average of three point zero (3.0) or better on a scale of four point zero (4.0) to be eligible to apply for an opportunity scholarship. Home schooled students must provide a transcript of subjects taught and grades received signed by the parent or guardian of the student-; or (3-20-14)

ii. A student who has obtained a general equivalency diploma must have taken the ACT assessment and received a minimum composite score of twenty (20) or better, or the equivalent SAT assessment and received a nine hundred fifty (950) or better, to be academically eligible to apply for an opportunity scholarship-; or (3-20-14)

iii. A student currently enrolled in an eligible Idaho postsecondary educational institution must have a minimum cumulative grade point average of three point zero (3.0) or better on a scale of four point zero (4.0) at such institution in order to be academically eligible to apply for an opportunity scholarship. (3-20-14)

03. Financial Eligibility. Applicants for the opportunity scholarship are selected as recipients, in part, on the basis of demonstrated financial need. The tool used to determine financial need will be the Free Application for Federal Student Aid (FAFSA), used by the United States Department of Education. The financial need of an applicant for an opportunity scholarship will be based upon the validated expected family contribution, as identified by the FAFSA Student Aid report. The Student Aid report used to calculate financial need will be the report generated on the March 1 application deadline. (3-20-14)

04. Additional Eligibility Requirements. (4-2-08)

a. A student must not be in default on a student educational loan, or owe a repayment on a federal grant, and must be in good financial standing with the opportunity scholarship program. (3-20-14)

b. If a student has attempted or completed more than one hundred (100) postsecondary academic credits, then such student must identify his or her major, the required number of credits necessary for graduation in such major, and shall submit an academic transcript that contains all courses taken and all postsecondary academic credit received to the Board office. A student shall not be eligible for an opportunity scholarship if: (3-20-14)

i. The student is not meeting satisfactory academic progress at the eligible Idaho postsecondary educational institution the student is attending at the time he or she applies for an opportunity scholarship; (4-2-08)

ii. The student has completed more than one hundred fifty percent (150%) of the courses and academic

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credit necessary to graduate in such major; or

(4-2-08)

iii. Upon review of the student's academic transcript(s), the student cannot complete their degree/certificate in the major they have identified within two (2) semesters based on normal academic course load: unless a determination by the Executive Director has been made that there are extenuating circumstances and the student has a plan approved by the Executive Director outline the courses that will be taken and the completion date of the degree/certificate.

(3-20-14)

102. -- 201. (RESERVED)

202. APPLICATION PROCESS.

01. Initial Applications. An eligible student must complete and submit the opportunity scholarship program application to the Board electronically on or before the date specified in the application, but not later than March 1. An applicant without electronic capabilities may submit an application on the form established by the Board through the United States Postal Service, which must be postmarked not later than March 1. All applicants must complete and submit the FAFSA on or prior to March 1 ~~of his last year of secondary school.~~ An applicant without electronic capabilities may submit an application on the form established by the ~~Board~~ executive director, through the United States Postal Service, which must be postmarked by March 1.

(3-20-14)

02. Announcement of Award. Announcement of the award of initial scholarships will be made no later than June 1 of each year, with awards to be effective at the beginning of the first full term following July 1 of that year. Announcements must clearly state the award is part of the state's scholarship program and is funded through state appropriated funds. Additional award announcement may be made after this date based on the availability of funds and the acceptance rate of the initial awards.

(3-20-14)

03. Communication with State Officials. Applicants must respond by the date specified to any communication from officials of the opportunity scholarship program. Failure to respond within the time period specified will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved and approved by the state board of education executive director or designee.

(3-20-14)

203. -- 299. (RESERVED)

300. SELECTION OF SCHOLARSHIP RECIPIENTS.

01. Selection Process. Scholarship awards will be based on the availability of scholarship program funds. In addition, opportunity scholarships will be awarded to applicants, based on ranking and priority, in accordance with the following criteria:

(3-20-14)

a. Eligible students shall be selected based on rating criteria that assigns seventy percent (70%) to financial eligibility, and thirty percent (30%) to academic eligibility. In the event that this weighted score results in a tie, an eligible student who submitted his application to the Board earliest in time will be assigned a higher rank.

(3-20-14)

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

(4-2-08)

02. Monetary Value of the Opportunity Scholarship.

(4-2-08)

a. The Board will, by resolution each year, establish the educational costs for attending an eligible Idaho postsecondary educational institution for purposes of the opportunity scholarship program. The educational costs will be established as a not to exceed amount for each eligible Idaho postsecondary educational institution.

(3-20-14)

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b. The monetary value of the opportunity scholarship award to a student shall be based on the educational costs for attending an eligible Idaho postsecondary educational institution, less the following: (4-2-08)

i. The amount of the assigned student responsibility, established by the Board annually; (4-2-08)

ii. The amount of federal grant aid, as identified by the Student Aid Report (SAR) that is known at the time of award determination; (3-20-14)

iii. The amount of other financial aid awarded the student, from private or other sources that is known at the time of award determination. (3-20-14)

c. The amount of an opportunity scholarship award to an individual student shall not exceed the educational cost established by the Board annually, and shall not exceed the actual cost of tuition at an Idaho public postsecondary educational institution, or if the student attends or will attend an Idaho private postsecondary educational institution, the average tuition at Idaho's public four (4) year postsecondary educational institutions. (3-20-14)

301. OPPORTUNITY SCHOLARSHIP AWARD.

01. Payment. Payment of opportunity scholarship awards will be made in the name of the recipient and will be sent to a designated official at the eligible Idaho postsecondary educational institution in which the recipient is enrolled. The official must transmit the payment to the recipient within a reasonable time following receipt of the payment. (4-2-08)

02. Duration. Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, quarters, or equivalent units. In no instance will the entire amount of a scholarship be paid in advance to, or on behalf of, a scholarship recipient. The scholarship covers up to four (4) educational years, or eight (8) semesters or equivalent for attendance at an eligible Idaho postsecondary educational institution. Awards are contingent on annual appropriations by the legislature and continued eligibility of the student. (3-20-14)

03. Eligibility. If a student receives an opportunity scholarship payment and it is later determined that the student did not meet all of the Opportunity Scholarship Program eligibility requirements, then the student is considered in overpayment status, and must return program funds in accordance with the eligible Idaho postsecondary educational institution's refund policy. (4-2-08)

302. CONTINUING ELIGIBILITY.

To remain eligible for renewal of an opportunity scholarship, the recipient must comply with all of the provisions of the Opportunity Scholarship Program and these rules, in addition to the following requirements: (4-2-08)

01. Renewal Application. A scholarship recipient must complete and submit a renewal application in order to be considered for a continuing scholarship for each succeeding year and update and submit the FAFSA on or prior to March 1. (3-20-14)

02. Credit Hours. To remain eligible for renewal of an opportunity scholarship, the scholarship recipient attending a four (4) year eligible postsecondary institution must have completed a minimum of ~~twelve (12)~~ twenty four (24) credit hours or its equivalent each ~~semester~~ academic year that the student received an opportunity scholarship award. A scholarship recipient attending a two (2) year eligible postsecondary institution must have completed a minimum of ~~nine (9)~~ eighteen (18) credit hours or its equivalent each ~~semester~~ academic year that the student received an opportunity scholarship award.

(3-20-14)

03. Satisfactory Academic Progress. To remain eligible for renewal of an opportunity scholarship, the scholarship recipient must have maintained a minimum cumulative grade point average of three point zero (3.0) on a scale of four point zero (4.0) during the time that the recipient received an opportunity scholarship award, and must be maintaining satisfactory academic progress, consistent within federal financial regulations as implemented at the eligible Idaho postsecondary educational institution at which the scholarship recipient was enrolled. (3-20-14)

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04. Maximum Duration of Scholarship Award. The award of an opportunity scholarship shall not exceed the equivalent of eight (8) semesters or the equivalent of four (4) academic years. (3-20-14)

05. Eligibility Following Interruption of Continuous Enrollment. A scholarship recipient whose continuous enrollment is interrupted for more than four (4) months but less than two (2) years for any reason but who intends to re-enroll in an eligible Idaho postsecondary educational institution must file a letter of intent to withdraw no later than sixty (60) days prior to the first day of the academic term of the discontinued attendance to the Office of the State Board of Education. Failure to do so may result in forfeiture of the scholarship. The Board's Executive Director [or designee](#) will review each request for interruption and notify the individual of approval or denial of the request. In addition, the individual must file a statement with the Board declaring his intent to re-enroll as a full-time undergraduate student in an academic or professional-technical program in an eligible Idaho postsecondary educational institution for the succeeding academic year no later than thirty (30) days prior to the first day of the academic term in which the individual intends to re-enroll within two (2) years of the approval of the request to withdraw. Failure to do so will result in forfeiture of the scholarship unless an extension has been granted. An extension of interruption of continuous enrollment period may be granted for eligible students due to military service in the United States armed forces, medical circumstances, or other circumstances approved by the state board of education's executive director. All requests for extension must be made sixty (60) days prior to the start of the succeeding academic year. (3-20-14)

303. -- 399. (RESERVED)

400. RESPONSIBILITIES OF ELIGIBLE IDAHO POSTSECONDARY EDUCATIONAL INSTITUTIONS.

01. Statements of Continuing Eligibility. An eligible Idaho postsecondary educational institution participating in this Opportunity Scholarship Program must submit statements of continuing student eligibility to the Board by the 30th day after the end of each academic [term/year](#). Such statements must include verification that the scholarship recipient is still enrolled, attending full time, maintaining satisfactory academic progress, and has not exceeded the award eligibility terms. (3-20-14)

02. Other Requirements. An eligible Idaho postsecondary educational institution must: (4-2-08)

a. Be eligible to participate in Federal Title IV financial aid programs, and must supply documentation to the Board verifying this eligibility, and prompt notification regarding any changes in this status; (4-2-08)

b. Have the necessary administrative computing capability to administer the Opportunity Scholarship Program on its campus, and electronically report student data records to the Board; (4-2-08)

c. Provide data on student enrollment and federal, state, and private financial aid for students to the Board, and (4-2-08)

d. Agree to permit periodic Opportunity Scholarship Program audits to verify compliance with Idaho law and these rules related to the program. (4-2-08)

401. -- 500. (RESERVED)

501. APPEALS.

Any opportunity scholarship applicant or recipient adversely affected by a decision made under provisions of these rules may appeal such adverse decision as follows. The opportunity scholarship applicant or recipient must appeal no later than thirty (30) days following notice of the decision, and the written statement must include the basis for the appeal. The appeal must be submitted to the executive director of the Board. The office of the board shall acknowledge receipt of the appeal within seven (7) days. The executive director of the Board may or may not agree to review the action, or may appoint a subcommittee of three (3) persons to hear the appeal, including at least one (1) financial aid administrator at an eligible postsecondary educational institution in Idaho. (3-20-14)

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01. Transmittal to Subcommittee. If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the executive director of the Board within fifteen (15) days from the time the subcommittee receives the appeal document. The opportunity scholarship applicant or recipient initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal. (3-20-14)

02. Subcommittee Recommendations. Following the subcommittee's decision, the executive director of the Board will present the subcommittee's recommendation to the full Board at the next regularly scheduled meeting of the Board. The opportunity scholarship applicant or recipient initiating the appeal may, at the discretion of the executive director of the Board, be permitted to make a presentation to the Board. (3-20-14)

03. Board Decision. The decision of the Board is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the Board. The Board will inform the opportunity scholarship applicant or recipient in writing of the decision of the Board. (4-2-08)

502. -- 999. (RESERVED)

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SUBJECT

Proposed Rule 08.02.01, Rules Governing Administration – Strategic Planning/Continuous Improvement Plans

REFERENCE

June 2014

Board approved Temporary and Proposed Rule Docket 08-0201-1401, Strategic Planning.

November 2014

Board approved pending rule IDAPA 08.02.01.801.

APPLICABLE STATUTE, RULE, OR POLICY

Sections 33-5201 to 5216, Idaho Code

BACKGROUND/DISCUSSION

Idaho Administrative Code, IDAPA 08.02.01.800 establishes the qualification requirements for trainers and the procedures for school districts and charter schools to request reimbursement for qualified training in compliance with Section 33-320, Idaho code. Section 33-320, Idaho Code sets out requirements for each school district to have a strategic plan as well as funding to districts to reimburse them for training in strategic planning, administrator evaluations, school finance, and governance and ethics. During the 2015 legislative session the term strategic planning was changed to continuous improvement planning. The Proposed amendment brings the language used in IDAPA 08.02.01.800 into alignment with the language now used in Section 33-320, Idaho Code.

IMPACT

Approval of the proposed rule will bring the two components of Idaho Code into alignment and avoid any confusing the different terms may cause the school districts and charter schools.

ATTACHMENTS

Attachment 1 – Proposed rule, IDAPA 08.02.01.800

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STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval.

BOARD ACTION

I move to approve proposed amendments to IDAPA 08.02.01.800 as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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801. ~~STRATEGIC-CONTINUOUS IMPROVEMENT~~ PLANNING AND TRAINING.

In accordance with Section 33-320, Idaho Code, every local education agency (LEA) shall develop and maintain a strategic plan that focusses on improving the student performance of the LEA through the continuous improvement process. (4-11-15)

01. Definitions. (4-11-15)

a. Administrator. As used in this section administrator means the superintendent of the school district or administrator of a charter school. (4-11-15)

b. Board. Board means the Idaho State Board of Education. (4-11-15)

c. Executive Director. Executive Director means the Executive Director of the Idaho State Board of Education. (4-11-15)

d. Local Education Agency Board. As used in this section local education agency or LEA Board means the board of trustees of a school district or board of directors of a charter school. (4-11-15)

e. Local Education Agency. As used in this section local education agency (LEA) means public school district or charter school. (4-11-15)

f. ~~Strategic-Continuous Improvement~~ Plan. As used in this section, a continuous improvement plan is a strategic plan ~~is one~~ that focuses on continuous process improvement and the analysis of data to assess and prioritize needs and measure outcomes. (4-11-15)

02. Reimbursement Eligibility. LEA's may request reimbursement for training conducted pursuant to Section 33-320, Idaho Code. To be eligible for reimbursement the training and trainer must meet the following criteria: (4-11-15)

a. Training. The training must cover one (1) or more the follow subjects: (4-11-15)

i. ~~Strategic-Continuous improvement~~ planning training. Strategic-Continuous improvement planning training must include, but is not limited to, training on continuous process improvement, use and analysis of data, and methods for setting measurable targets based on student outcomes; (4-11-15)

ii. School finance; (4-11-15)

iii. Administrator evaluations, including, but not limited to, specifics on the Idaho state evaluation requirements and framework; (4-11-15)

iv. Ethics; or (4-11-15)

v. Governance. (4-11-15)

b. Documentation of Training. Training records shall be kept by the LEA showing: (4-11-15)

i. The length of the training in hours; (4-11-15)

ii. The subject(s) covered by the training; (4-11-15)

iii. The participants included in the training or validation of attendance of specific participants as applicable; and (4-11-15)

iv. The curriculum, agenda, or other documentation detailing the content of the training. (4-11-15)

c. Training Format. A majority of the LEA board and the administrator must collaborate on the

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strategic continuous improvement plan and engage students, parents, educators and the community, as applicable to the training subject and format. The training facilitator must be physically present or have the ability to interact directly with all training participants. Sufficient time must be provided during the sessions to give the participants an opportunity to discuss issues specific to the LEA. (4-11-15)

d. Trainer Qualifications. The trainer must meet the following qualifications: (4-11-15)

i. May not be a current employee of the LEA; (4-11-15)

ii. Must have two (2) years of documented training experience in the area of training being provided for the LEA; and (4-11-15)

iii. Must provide at least three (3) recommendations from individuals who participated in past training sessions conducted by the trainer. These recommendations must be included with the application to determine the trainer's qualifications. (4-11-15)

e. Qualified Trainers. Trainer qualifications will be determined by the Office of the State Board of Education. The State Board of Education will maintain a list of qualified trainers and the subject areas in which they are qualified. (4-11-15)

i. An individual or company may submit an application for consideration to be placed on the list of qualified trainers or the LEA may submit the application on behalf of the individual or company. (4-11-15)

ii. Applications must be submitted to the Executive Director in a format established by the Executive Director. (4-11-15)

iii. Trainer qualifications must be determined prior to the LEA's request for reimbursement of training costs. (4-11-15)

03. Reimbursement. Up to two thousand dollars (\$2,000) per state fiscal year will be reimbursed to the LEA for training costs. Reimbursement will be based on actual expenditures related to the training delivered. (4-11-15)

04. Audit. If requested, LEA's must provide training documentation or other information to verify eligibility prior to reimbursement. (4-11-15)

802. -- 999. (RESERVED)

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SUBJECT

Proposed Rule IDAPA 08.02.02 – Rules Governing Uniformity - Certification

REFERENCE

August 2014	Board approved proposed rules incorporating a tiered certification structure into administrative rule as well as reorganization of the section and cleanup of out of date language.
November 2014	Board approved the pending rule incorporating the proposed changes. (The 2015 Legislature rejected the proposed rule)

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative code, IDAPA 08.02.02
Section 33-1201, Idaho Code

BACKGROUND/DISCUSSION

Following the completion of the Task Force's initial work, the Career Ladder/Tiered Licensure (Certification) Committee approved a framework for a tiered certification model that was proposed as amendments to the educator credential contained in Administrative Code, IDAPA 08.02.02. In addition to the tiered certification model the proposed rule also contained a number of edits that clean up old language, reorganized sections, and made technical corrections to the alternate routes to certification and the occupational certificates contained in IDAPA 08.02.02. The legislature rejected the pending rule during the 2015 legislative session, incorporating much of the tiered certification framework into HB296 (2015) instead. The overall rejection of the rule was with the understanding that the Board may choose to bring back many of the changes that resulted in cleaning up and reorganizing IDAPA 08.02.02. at a later date.

The proposed changes to IDAPA 08.02.02 would reorganize the entire section so that all the certificates are in one section, all of the endorsements are together, and all of the alternate routes or grouped together. Additional changes would address issues that arose with the alternate routes to certification and have already been approved by the Board as a temporary rule as well as the consolidation of the standard elementary certificate and the standard secondary certificate into a single educator endorsement.

The combination of these two certificates will address an issue that Board staff has recently become aware of and would be a benefit to districts and teachers resulting in the overall simplification Idaho's standard teaching certificates. In meeting with stakeholders to gather input on the proposed changes to IDAPA 08.02.02 it was discovered that there had been a misinterpretation of the grades teachers were eligible to teach if they had either a standard elementary or standard secondary certificate and a subject area endorsement that covered all grades or a range of

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grades that were other than the grades specified by their certificate. Pursuant to Section 33-1201, Idaho Code, persons who are employed to serve as a teacher in any elementary or secondary school must have a certificate authorized by the Board for the services being rendered. The standard elementary certificate only authorizes individuals to teach in grades Kindergarten (K) through eight (8) and the standard secondary certificate authorizes individuals to teach in grades six (6) through twelve (12). The certificate requirements outlined in IDAPA 08.02.02 further require both types of certificate holders to have at least one subject area or specialty area endorsement. Many of the existing endorsements span grades Kindergarten (K) through twelve (12). This allows the state to have a single endorsement that may be attached to both certificates. Some districts have interpreted this to mean that an individual with a standard elementary certificate and an endorsement that spans K through 12 (K-12) may teach grades nine (9) through twelve (12). This is not the case, the applicable certificates clearly state the grades the individual is eligible to teach with the applicable certificate. Moving to a single standard certificate while still requiring at least one (1) endorsement will clear up the issue and provide for greater flexibility to districts when looking for qualified candidates while maintaining the existing certification quality.

IMPACT

Approval of the proposed rule will allow for the rule to go out for public comment. Following the end of the public comment period, the rule will come back to the Board as a Pending rule. The pending rule will be forwarded to the legislature for consideration. Once accepted by the legislature, the new certification language will take effect at the end of the 2016 legislative session.

ATTACHMENTS

Attachment 1 – Proposed Rule IDAPA 08.02.02, Certification

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STAFF COMMENTS AND RECOMMENDATIONS

Once approved by the Board, Proposed rules are published in the Administrative Bulletin and have a 21 day comment period prior to coming back to the Board for consideration as a Pending rule. 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 are forwarded to the legislature and become effective at the end of the legislative session in which they are submitted unless rejected by the legislature.

If approved by the Board, Board staff will work with the Department Certification staff to make sure amendments proposed by the Professional Standards Commission, if approved by the Board, will also be incorporated in to the rule as applicable.

Staff recommends approval.

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BOARD ACTION

I move to approve the proposed rule amendments to IDAPA 08.02.02 as submitted in attachment 1

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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IDAPA 08
TITLE 02
CHAPTER 02

08.02.02 - RULES GOVERNING UNIFORMITY

000. LEGAL AUTHORITY.

All rules in IDAPA 08.02.02, "Rules Governing Uniformity," are promulgated pursuant to the authority of the State Board of Education under Article IX, Section 2 of the Idaho Constitution and under Sections 33-105, 33-107, 33-116, and 33-1612, Idaho Code. Specific statutory references for particular rules are also noted as additional authority where appropriate. (7-1-02)

001. TITLE AND SCOPE.

01. Title. These rules shall be known as IDAPA 08.02.02, "Rules Governing Uniformity." (4-5-00)

02. Scope. Uniform standards and governance by the State Board of Education pertinent to Teacher Certification, School Facilities, Accreditation, Transportation, School Release Time, Driver's Education and Juvenile Detention Centers. (7-1-02)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, any written interpretations of the rules of this chapter are available at the Office of the State Board of Education located at 650 W. State St., Room 307, Boise, Idaho 83702. (7-1-02)

003. ADMINISTRATIVE APPEALS.

Unless otherwise provided for in these rules, administrative appeals are by written application to the State Board of Education pursuant to IDAPA 08.01.01, "Rules of the State Board of Education and Board of Regents of the University of Idaho – Administrative Procedures and Records," Section 050. (3-14-05)

004. INCORPORATION BY REFERENCE.

The State Board of Education adopts and incorporates by reference into its rules: (5-8-09)

01. Idaho Standards for the Initial Certification of Professional School Personnel as approved on August 14, 2014. Copies of this document can be found on the Office of the State Board of Education website at <http://www.boardofed.idaho.gov>. (3-27-15)

02. Standards for Idaho School Buses and Operations as approved on June 23, 2011. The Standards for Idaho School Buses and Operations are available at the Idaho State Department of Education, 650 W. State St., Boise Idaho, 83702 and can also be accessed electronically at <http://www.sde.idaho.gov/site/transportation/library.htm>. (3-29-12)

03. Operating Procedures for Idaho Public Driver Education Programs as approved on August 14, 2014. The Operating Procedures for Idaho Public Driver Education Programs are available at the Idaho State Department of Education, 650 W. State St., Boise, Idaho, 83702 and can also be accessed electronically at http://www.sde.idaho.gov/site/driver_edu/forms_curriculum.htm. (3-27-15)

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

The principal place of business of the State Board of Education (SBOE) and State Department of Education (SDE) is in Boise, Idaho. Both offices are located at 650 W. State, Boise Idaho 83702. The SDE is on the 2nd Floor, the SBOE is found in Room 307. Both offices are open from 8 a.m. to 5 p.m., except Sunday and legal holidays. The mailing address for the SBOE is PO Box 83720, Boise, ID 83720-0037. The mailing address for the SDE is PO Box 83720,

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Boise, ID 83720-0027. The SBOE phone numbers is (208) 334-2270 and the SDE phone number is (208) 332-6800. (7-1-02)

006. PUBLIC RECORDS ACT COMPLIANCE.

This rule has been promulgated in accordance with the Administrative Procedures Act, Title 67, Chapter 52, Idaho Code, and is a public record. (7-1-02)

007. DEFINITIONS.

01. Active Teacher. K-12 teacher with a valid Idaho certificate who is currently teaching in an Idaho K-12 classroom/school. (3-16-04)

02. Alternative Routes. Routes to teacher certification designed for candidates who want to enter the teaching profession from non-education professions or the para-educator profession, or for teachers lacking certification in a specific area defined as an emergency district need. (3-16-04)

03. Credential. The general term used to denote the document on which all of a person's educational certificates and endorsements are listed. The holder is entitled to provide educational services in any and/or all areas listed on the credential. (3-16-04)

04. Endorsement. Term used to refer to the content area or specific area of expertise in which a holder is granted permission to provide services. (3-16-04)

05. Idaho Student Achievement Standards. Standards of achievement for Idaho's K-12 students. See IDAPA 08.02.03, "Rules Governing Thoroughness." (3-16-04)

06. Individualized Professional Learning Plan. An individualized plan based on the Idaho framework for teacher as outlined in subsection 120 of these rules to include interventions based on the individual's strengths and areas of needed growth. ()

067. Institutional Recommendation. Signed form or written verification from an accredited institution with an approved teacher preparation program stating that an individual has completed the program, received a basic or higher rating in all twenty-two (22) components of the Idaho framework for teaching evaluation, has and individualized professional learning plan, has demonstrated measurable student achievement and the ability to create student learning objectives, and is now being recommended for state certification. (3-16-04)

08. Local Education Agency (LEA). An Idaho public school district or charter school pursuant to Section 33-5203(7), Idaho Code.

078. Orientation. School district/school process used to acquaint teachers new to district/school on its policies, procedures and processes. (3-16-04)

089. Para-Educator. Aides and assistants employed by school districts to supplement instruction and provide additional assistance to students. (3-16-04)

0910. Pedagogy. Teaching knowledge and skills. (3-16-04)

11. Student Learning Objective (SLO). A measurable, long-term academic growth target that a teacher sets at the beginning of the year for all student or for subgroups of students. SLOs demonstrate a teachers' impact on student learning within a given interval of instruction based upon baseline data gathered at the beginning of the course.

102. Teacher Leader. A ~~master~~ teacher who facilitates the design and implementation of sustained, intensive, and job-embedded professional learning based on identified student and teacher needs. (4-4-13)

008. -- 011. (RESERVED)

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012. ACCREDITED INSTITUTION.

For purposes of teacher certification, an accredited school, college, university, or other teacher training institution is considered by the Idaho State Board of Education to be one that is accredited by a regional accrediting association recognized by the State Board of Education or an alternative model approved by the State Board of Education. (Sections 33-107; 33-114; 33-1203, Idaho Code) (4-1-97)

013. CERTIFICATION OF TEACHERS TRAINED IN FOREIGN INSTITUTIONS.

Considering credentials for teacher certification submitted by persons trained in the institutions of foreign countries will be initiated by a translation and evaluation of the applicant's credentials. (4-1-97)

01. Determination of Eligibility. Determination of eligibility for certification will be made by the State Department of Education as the agent of the State Board of Education. Appeals may be made to the Professional Standards Commission, (PSC). (Section 33-1209, Idaho Code) (3-16-04)

02. Other Procedures. All other procedures in effect at the time must be followed at the time of application. (4-1-97)

014. CERTIFICATES ISSUED TO APPLICANTS FROM REGIONALLY ACCREDITED INSTITUTIONS.

01. The Department of Education. The department of education is authorized to issue Idaho Certificates to applicants from regionally accredited institutions meeting requirements for certification or equivalent (i.e., those based on a bachelor's degree) in other states when they substantially meet the requirements for the Idaho Certificate. (Sections 33-1203; 33-2203 Idaho Code) (3-16-04)

02. The State Division of Professional-Technical Education. The state division of professional-technical education is authorized to determine whether applicants meet the requirements for instructing or administering professional-technical programs at the secondary and postsecondary levels. (Section 33-2203, Idaho Code) (3-16-04)

~~**015. IDAHO INTERIM CERTIFICATE.**~~

~~**01. Issuance of Interim Certificate.** The State Department of Education is authorized to issue a three-year (3) interim certificate to those applicants who hold a valid certificate/license from another state or other entity that participates in the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement. An interim certificate is nonrenewable except under extenuating circumstances.~~ (4-2-08)

~~**a. Idaho Comprehensive Literacy Course.** For all Idaho teachers working on interim certificates, alternate routes or coming from out of the state, completion of a state approved reading instruction course shall be a one-time requirement for full certification.~~ (4-7-11)

~~**b. Technology.** Out of state applicants will be reviewed by the hiring district for technology deficiencies and may be required to take technology courses to improve their technology skills.~~ (4-7-11)

~~**02. Reinstatement of Expired Certificate.** An individual holding an expired Idaho certificate may be issued a nonrenewable three-year interim certificate. During the validity period of the interim certificate, the applicant must meet all current requirements listed for the specific certificate and endorsement(s) including the appropriate content, pedagogy, and performance assessments.~~ (3-29-12)

~~**03. Foreign Institutions.** An educator having graduated from a foreign institution that is listed in the Accredited Degree-Granting Institutions section of the "Accredited Institutions of Postsecondary Education" and having a valid/current teaching certificate/license from the country or province in which the foreign institution is located, may be issued a non-renewable, three-year interim certificate. The applicant must also complete the requirements listed in Section 013 of these rules.~~ (4-2-08)

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016015. IDAHO EDUCATOR CREDENTIAL.

The State Board of Education authorizes the State Department of Education to issue certificates and endorsements to those individuals meeting the specific requirements for each area provided herein. ~~(Section 33-1201, Idaho Code)~~
(3-16-04)

~~**01. Renewal Requirement – Mathematics In Service Program.** In order to recertify, the state approved mathematics instruction course titled “Mathematical Thinking for Instruction”, or another State Department of Education approved alternative course, shall be required. The “Mathematical Thinking for Instruction” course consists of three (3) credits (or forty five (45) contact hours of in service training). Teachers and administrators shall take one (1) of the three (3) courses developed that each teacher deems to be most closely aligned with their current assignment prior to September 1, 2014. Any teacher or administrator successfully completing said course shall be deemed to have met the requirement of Subsection 060.03.c. of this rule, regardless of whether such course is part of any official transcript. Successful completion of state approved mathematics instruction course shall be a one-time requirement for renewal of certification for those currently employed in an Idaho school district and shall be included within current requirements for continuing education for renewal. The following individuals listed in Subsection 016.01.a. through 016.01.c. shall successfully complete the “Mathematical Thinking for Instruction” course in order to recertify:~~

~~(3-20-14)~~

~~**a.** Each teacher holding an Early Childhood/Early Childhood Special Education Blended Certificate (Birth – Grade 3) who is employed in an elementary classroom (multi-subject classroom, K-8);~~ (3-29-10)

~~**b.** Each teacher holding a Standard Elementary Certificate (K-8) who is employed in an elementary classroom (multi-subject classroom K-8);~~ (3-20-14)

~~**c.** Each teacher holding a Standard Secondary Certificate (6-12) teaching in a math content classroom (grade six (6) through grade twelve (12)) including Title I who is employed in an elementary classroom (multi-subject classroom K-8);~~ (3-20-14)

~~**d.** Each teacher holding a Standard Exceptional Child Certificate (K-12) who is employed in an elementary classroom (multi-subject classroom K-8); and~~ (3-20-14)

~~**e.** Each school administrator holding an Administrator Certificate (Pre K-12) who is employed in an elementary classroom (multi-subject classroom K-8), including all school district and charter administrators;~~
(3-20-14)

~~**02. Out-of-State Applicants – Mathematical Thinking for Instruction.**~~ (4-4-13)

~~**a.** Out of state applicants shall take the state approved mathematics instruction course titled “Mathematical Thinking for Instruction” as a certification requirement. The “Mathematical Thinking for Instruction” course consists of three (3) credits (or forty five (45) contact hours of in service training).~~ (3-29-10)

~~**b.** Those individuals who qualify for an Idaho certificate through state reciprocity shall be granted a three-year, non-renewable, interim certificate to allow time to meet the Idaho Mathematics In service program requirement.~~ (4-4-13)

~~**03. Waiver of Mathematics In Service Program.** When applying for certificate renewal, an automatic waiver of the mathematics in service program requirement shall be granted for any certificated individual living outside of the state of Idaho who is not currently employed as an educator in the state of Idaho. This waiver applies only as long as the individual remains outside the state of Idaho or as long as the individual is not employed as an educator in the state of Idaho. Upon returning to Idaho or employment in an Idaho public school, the educator will need to complete this requirement prior to the next renewal period.~~ (3-20-14)

~~**04. Renewal Requirement – Idaho Comprehensive Literacy Course.** In order to recertify, a state approved Idaho Comprehensive Literacy Course shall be required. Successful completion of a state approved Idaho~~

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~~Comprehensive Literacy course shall be a one time requirement for renewal of certification for those currently employed in an Idaho school district and shall be included within current requirements for continuing education for renewal. The following individuals listed in Subsection 016.04.a. through 016.04.c. shall successfully complete an Idaho Comprehensive Literacy course in order to recertify: (4 4 13)~~

~~a. Each teacher holding an Early Childhood/Early Childhood Special Education Blended Certificate (Birth Grade 3) who is employed in an elementary classroom (multi subject classroom, K 8); (4 4 13)~~

~~b. Each teacher holding a Standard Elementary Certificate (K-8) who is employed in an elementary classroom (K-8); and (3 20 14)~~

~~c. Each teacher holding a Standard Exceptional Child Certificate (K-12) who is employed in a K-12 classroom. (3 20 14)~~

~~05. Out-of-State Applicants Idaho Comprehensive Literacy Course. (3 20 14)~~

~~a. Out of state applicants shall take a state approved Idaho Comprehensive Literacy Course as a certification requirement. (3 20 14)~~

~~b. Those individuals who qualify for an Idaho certificate through state reciprocity shall be granted a three-year, non-renewable, interim certificate to allow time to meet the Idaho Comprehensive Literacy Course requirement. (3 20 14)~~

~~**017. CONTENT, PEDAGOGY AND PERFORMANCE ASSESSMENT FOR CERTIFICATION.**~~

~~01. Assessments. State Board of Education approved content, pedagogy and performance area assessments shall be used in the state of Idaho to ensure qualified teachers are employed in Idaho's classrooms. The Professional Standards Commission shall recommend assessments and qualifying scores to the State Board of Education for approval. (4 2 08)~~

~~02. Out of State Waivers. An out of state applicant for Idaho certification holding a current certificate may request a waiver from the above requirement. The applicant shall provide evidence of passing a state approved content, pedagogy and performance area assessment(s) or hold current National Board for Professional Standards Teaching Certificate. (4 2 08)~~

~~03. Idaho Comprehensive Literacy Assessment. All applicants for initial Idaho certification (Kindergarten through grade twelve (12)) from an Idaho approved teacher education program must demonstrate competency in comprehensive literacy. Areas to be included as parts of the assessment are: phonological awareness, phonics, fluency, vocabulary, comprehension, writing, and assessments and intervention strategies. Each Idaho public higher education institution shall be responsible for the assessment of teacher candidates in its teacher preparation program. The assessment must measure teaching skills and knowledge congruent with current research on best literacy practices for elementary students or secondary students (adolescent literacy) dependent upon level of certification and English Language Learners. In addition the assessment must measure understanding and the ability to apply strategies and beliefs about language, literacy instruction, and assessments based on current research and best practices congruent with International Reading Association/National Council of Teachers of English standards, National English Language Learner's Association professional teaching standards, National Council for Accreditation of Teacher Education standards, and state accreditation standards. (4 7 11)~~

~~04. Technology Assessment. All applicants for initial Idaho certification (Kindergarten through grade twelve (12)) from an Idaho approved teacher education program must demonstrate proficiency in relevant technology skills and practices to enhance classroom management and instruction. Each Idaho public higher education institution shall be responsible for the assessment of teacher candidates in its teacher preparation program. The assessment must measure understanding and the ability to apply strategies and beliefs about the integration of technology based on current research and best practices congruent with the International Society for Technology in Education professional teaching standards, the National Council for Accreditation of Teacher Education standards, and state accreditation standards. (4 7 11)~~

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018.01 STANDARD ~~ELEMENTARY~~TEACHING CERTIFICATE.

A Standard ~~Elementary-Teaching~~ Certificate makes an individual eligible to teach grades Kindergarten (K) through ~~eight (8)~~twelve (12), ~~subject to the grade ranges of the valid endorsements attached to the certificate.~~ ~~and~~ A standard teaching certificate may be issued to any person who has a bachelor's degree from an accredited college or university and who meets the following requirements: (3-16-04)

01a. ~~General Education Requirements.~~ Completion of the general education requirements at an accredited college or university is required. (3-30-07)

02b. ~~Meets the following Professional-professional Education Rrequirements.~~ (3-30-07)

ai. A minimum of twenty-four (24) semester credit hours, or thirty-six (36) quarter credit hours, in the philosophical, psychological, ~~and~~ methodological foundations, instructional technology, and in the professional subject matter of elementary or secondary education, which shall include at least six (6) semester credit hours, or nine (9) quarter credit hours, in developmental reading and its application to the content area. (3-16-04)

bii. The required minimum credit hours must include ~~A~~at least six (6) semester credit hours, or nine (9) quarter credit hours, of ~~elementary~~ student teaching or two (2) years of satisfactory experience as a teacher ~~in grades K-8.~~ (3-16-04)

03c. ~~Additional Requirements.~~ An institutional recommendation from an accredited college or university or verification of two (2) years of teaching experience in grades Kindergarten (K) through ~~eight (8)~~twelve (12). (3-16-04)

03d ~~Teaching Field Requirements.~~ Preparation in at least two (2) fields of secondary teaching: a first teaching field of at least thirty (30) semester credit hours, or forty-five (45) quarter credit hours, and a second teaching field of at least twenty (20) semester credit hours, or thirty (30) quarter credit hours. Preparation of not less than forty-five (45) semester credit hours, or sixty-seven (67) quarter credit hours, in a single subject area may be used in lieu of the first teaching field or second teaching field requirements. (3-30-07)

04d. ~~Area of Endorsement.~~ All individuals, who begin an Idaho approved preparation program after July 1, 2013, seeking a Standard Elementary Certificate shall complete the requirements for a subject area endorsement as outlined under requirements for a Standard Secondary Certificate. An endorsement allowing teaching of that subject through grade nine (9) or a K-12 endorsement shall be added to the Standard Elementary Certificate. (3-12-14)

05e. ~~Proficiency.~~ Proficiency in areas noted above is measured by completion of the credit hour requirements provided herein. Additionally, each candidate ~~shall~~must meet or exceed the state qualifying score on approved elementary or secondary content area and pedagogy assessments. (3-16-04)

019.02 Early Childhood / Early Childhood Special Education Blended Certificate.

An Early Childhood / Early Childhood Special Education Blended Certificate is non-categorical and makes an individual eligible to teach in any educational setting for youth from birth to grade three (3), including those who are at-risk or have developmental delays. The Early Childhood / Early Childhood Special Education Blended Certificate may be issued to any person with a bachelor's degree from an accredited college or university and who meets the following minimum requirements: (3-16-04)

01a. ~~General Education Requirements.~~ Completion of the general education requirements at an accredited college or university is required. (3-30-07)

02b. ~~Meets the following Professional-professional Education Rrequirements.~~ (3-16-04)

ai. A minimum of thirty (30) semester credit hours, or forty-five (45) quarter credit hours, in the philosophical, psychological, and methodological foundations, in instructional technology, and in the professional subject matter of early childhood and early childhood-special education. The professional subject matter of early

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childhood and early childhood-special education shall include course work specific to the young child from birth through grade three (3) in the areas of child development and learning; curriculum development and implementation; family and community relationships; assessment and evaluation; professionalism; and, application of technologies. (3-16-04)

bii. The required thirty (30) semester credit hours, or forty-five (45) quarter credit hours, shall include not less than six (6) semester credit hours, or nine (9) quarter credit hours, of early childhood student teaching and three (3) semester credit hours, or four (4) quarter credit hours, of developmental reading. (3-16-04)

03c. Additional Requirements.—An institutional recommendation from an accredited college or university, and passage of the Idaho Comprehensive Literacy Exam. (3-16-04)

04d. Proficiency.—Proficiency in areas noted above is measured by completion of the credit hour requirements provided herein. Additionally, each candidate shall meet or exceed the state qualifying score on approved early-childhood assessments. (3-16-04)

020. STANDARD SECONDARY CERTIFICATE.

~~A Standard Secondary Certificate makes an individual eligible to teach in grades six (6) through twelve (12). A Secondary Certificate may be issued to any person with a bachelor's degree from an accredited college or university and who meets the following minimum requirements: (3-16-04)~~

~~01. General Education Requirements.~~ Completion of the general education requirements at an accredited college or university is required. (3-30-07)

~~02. Professional Education Requirements.~~ (3-30-07)

~~a. A minimum of twenty (20) semester credit hours, or thirty (30) quarter credit hours, in the philosophical, psychological, and methodological foundations, instructional technology, and in the professional subject matter of secondary education, which must include at least three (3) semester credit hours, or four (4) quarter credit hours, of reading in the content area. (3-16-04)~~

~~b. The required twenty (20) semester credit hours, or thirty (30) quarter credit hours, must also include at least six (6) semester credit hours, or nine (9) quarter credit hours, of secondary student teaching or two (2) years of satisfactory experience as a teacher in grades six (6) through twelve (12). (3-16-04)~~

~~03. Teaching Field Requirements.~~ Preparation in at least two (2) fields of secondary teaching: a first teaching field of at least thirty (30) semester credit hours, or forty-five (45) quarter credit hours, and a second teaching field of at least twenty (20) semester credit hours, or thirty (30) quarter credit hours. Preparation of not less than forty-five (45) semester credit hours, or sixty-seven (67) quarter credit hours, in a single subject area may be used in lieu of the first teaching field or second teaching field requirements. (3-30-07)

~~04. Additional Requirements.~~ An institutional recommendation from an accredited college or university or verification of two (2) years of teaching experience in grades six (6) through twelve (12). (3-16-04)

~~05. Proficiency.~~ Proficiency in areas noted above is measured by completion of the credit hour requirements provided herein. Additionally, each candidate must have a qualifying score on an approved content area assessment in any area(s) for which the certificate or endorsement(s) will be applied. (3-16-04)

0283. Exceptional Child Certificate.

Holders of this certificate are authorized to work with children who have been identified as having an educational impairment. (3-16-04)

~~01a. General Education Requirements.~~ Education Requirements. Completion of the general education requirements at an accredited college or university is required and six (6) or more semester credit hours, or nine (9) or more quarter credit hours of student teaching in a special education setting. (3-30-07)

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02b. Exceptional Child Generalist Endorsement (K-12). The Exceptional Child Generalist K-12 endorsement is non-categorical and allows one (1) to teach in any K-12 special education setting. This endorsement is valid for five (5) years. Six (6) credit hours are required every five (5) years for renewal. Regardless of prior special education experience, all initial applicants must provide an institutional recommendation that an approved special education program has been completed, with field work to include an internship and student teaching in an elementary or secondary special education setting. To be eligible for an Exceptional Child Certificate with a Generalist K-12 endorsement, a candidate must have satisfied the following requirements: (4-4-13)

ai. Completion of a baccalaureate degree from an accredited college or university. (3-16-04)

bii. Completion, in an Idaho college or university, of a program in elementary, secondary, or special education currently approved by the Idaho State Board of Education, or completion, in an out-of-state college or university, of a program in elementary, secondary, or special education currently approved by the state educational agency of the state in which the program was completed. (3-16-04)

ei. Completion of thirty (30) semester credit hours in special education, or closely related areas, as part of an approved special education program. (3-16-04)

d. Each candidate must have a qualifying score on an approved core content assessment and a second assessment related to the specific endorsement requested. (3-16-04)

03d. Early Childhood Special Education Endorsement (Pre-K-3). The Early Childhood Special Education (Pre-K-3) endorsement is non-categorical and allows one to teach in any Pre-K-3 special education setting. This endorsement may only be added to the Standard Exceptional Child Certificate in conjunction with the Generalist K-12 endorsement and is valid for five (5) years. Six (6) credit hours are required every five (5) years for renewal. To be eligible for an Exceptional Child Certificate with an Early Childhood Special Education (Pre-K-3) endorsement, a candidate must have satisfied the following requirements: (4-7-11)

ai. Completion of a program of a minimum of twenty (20) semester credit hours in the area of Early Childhood Education to include course work in each of the following areas: Child development and behavior with emphasis in cognitive-language, physical, social and emotional areas, birth through age eight (8); Curriculum and program development for young children ages three to eight (3-8); Methodology: planning, implementing and evaluating environments and materials for young children ages three to eight (3-8); Guiding young children's behavior: observing, assessing and individualizing ages three to eight (3-8); Identifying and working with atypical young children ages three to eight (3-8) Parent-teacher relations; and, Field work to include an internship and student teaching at the Pre-K - 3 grades. (4-7-11)

04d. Deaf/Hard of Hearing Endorsement (K-12). Completion of a minimum of thirty-three (33) semester credit hours in the area of deaf/hard of hearing with an emphasis on instruction for students who use sign language or completion of a minimum thirty-three (33) semester credit hours in the area of deaf/hard of hearing with an emphasis on instruction for students who use listening and spoken language. An institutional recommendation specific to this endorsement is required. To be eligible for an Exceptional Child Certificate with a Deaf/Hard of Hearing endorsement, a candidate must have satisfied the following requirements: (4-11-15)

ai. Completion of a baccalaureate degree from an accredited college or university; (4-11-06)

bii. Completion of a program from an Idaho college or university in elementary, secondary, or special education currently approved by the Idaho State Board of Education; or (4-11-06)

ei. Completion of a program from an out-of-state college or university in elementary, secondary, or special education currently approved by the state educational agency of the state in which the program was completed; (4-11-06)

d. Completion of a program of a minimum of thirty-three (33) semester credit hours in the area of Deaf/Hard of Hearing. Must receive an institutional recommendation specific to this endorsement from an accredited

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college or university. (4-11-15)

05e. Visual Impairment Endorsement (K-12). Completion of a program of a minimum of thirty (30) semester credit hours in the area of visual impairment. An institutional recommendation specific to this endorsement is required. To be eligible for an Exceptional Child Certificate with a Visually Impaired endorsement, a candidate must have satisfied the following requirements: (4-11-06)

ai. Completion of a baccalaureate degree from an accredited college or university; (4-11-06)

bii. Completion in an Idaho college or university of a program in elementary, secondary, or special education currently approved by the Idaho State Board of Education, or completion in an out-of-state college or university of a program in elementary, secondary, or special education currently approved by the state educational agency of the state in which the program was completed. (4-11-15)

eiii. Completion of a program of a minimum of thirty (30) semester credit hours in the area of Visual Impairment. Must receive an institutional recommendation specific to this endorsement from an accredited college or university. (4-11-06)

div. Each candidate must have a qualifying score on an approved core content assessment and a second assessment related to the specific endorsement requested. (4-11-15)

02704. Pupil Personnel Services Certificate

Persons who serve as school counselors, school psychologists, speech-language pathologists, school social workers, school nurses and school audiologists are required to hold the Pupil Personnel Services Certificate, with the respective endorsement(s) for which they qualify. (3-16-04)

01a. Counselor Endorsement (K-12). To be eligible for a Pupil Personnel Services Certificate endorsed Counselor K-12, a candidate must have satisfied the following requirements. The Pupil Personnel Services Certificate with a Counselor endorsement is valid for five (5) years. Six (6) semester credit hours are required every five (5) years in order to renew the endorsement. (5-8-09)

ai. Hold a master's degree and provide verification of completion of an approved program of graduate study in school counseling from a college or university approved by the Idaho State Board of Education or the state educational agency of the state in which the program was completed. The program must include successful completion of seven hundred (700) clock hours of supervised field experience, seventy-five percent (75%) of which must be in a K-12 school setting. This K-12 experience must be in each of the following levels: elementary, middle/junior high, and high school. Previous school counseling experience may be considered to help offset the field experience clock hour requirement. (4-11-15)

bii. An institutional recommendation is required for a Counselor K-12 Endorsement. (5-8-09)

02b. School Psychologist Endorsement. This endorsement is valid for five (5) years. In order to renew the endorsement, six (6) professional development credits are required every five (5) years. The renewal credit requirement may be waived if the applicant holds a current valid National Certification for School Psychologists (NCSP) offered through the National Association of School Psychologists (NASP). To be eligible for initial endorsement, a candidate must complete a minimum of sixty (60) graduate semester credit hours which must be accomplished through one (1) of the following options: (3-29-12)

ai. Completion of an approved thirty (30) semester credit hour, or forty-five (45) quarter credit hours, master's degree in education or psychology and completion of an approved thirty (30) semester credit hour, or forty-five (45) quarter credit hour, School Psychology Specialist Degree program, and completion of a minimum of twelve hundred (1,200) clock-hour internship within a school district under the supervision of the training institution and direct supervision of a certificated school psychologist. (4-7-11)

bii. Completion of an approved sixty (60) semester credit hour, or ninety (90) quarter credit hour,

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master's degree program in School Psychology, and completion of a minimum of twelve hundred (1,200) clock-hour internship within a school district under the supervision of the training institution and direct supervision of a certificated school psychologist. (4-7-11)

~~eiii.~~ Completion of an approved sixty (60) semester credit hour, or ninety (90) quarter credit hour, School Psychology Specialist degree program which did not require a master's degree as a prerequisite, with laboratory experience in a classroom, which may include professional teaching experience, student teaching or special education practicum, and completion of a minimum twelve hundred (1,200) clock-hour internship within a school district under the supervision of the training institution and direct supervision of a certificated school psychologist. (5-8-09)

~~div.~~ Earn a current and valid National Certification for School Psychologists (NCSP) issued by the National Association of School Psychologists (NASP). (3-29-12)

~~03c.~~ **School Nurse Endorsement.** This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement may be accomplished through completion of either requirements in Subsections ~~027.03.015.04.ac.i.~~ or ~~027.03.b015.04.c.ii~~ in addition to the requirement of Subsection ~~027.03.e015.04.c.iii.~~ (3-29-10)

~~ai.~~ The candidate must possess a valid nursing (RN) license issued by the Idaho State Board of Nursing, and a bachelor's degree in nursing, education, or a health-related field from an accredited institution. (5-8-09)

~~bii.~~ The candidate must possess a valid professional nursing (RN) license issued by the Idaho State Board of Nursing and have completed nine (9) semester credit hours from a university or college in at least three (3) of the following areas: (5-8-09)

~~i.(1)~~ Health program management; (5-8-09)

~~ii.(2)~~ Child and adolescent health issues; (5-8-09)

~~iii.(3)~~ Counseling, psychology, or social work; or (5-8-09)

~~iv.(4)~~ Methods of instruction. (5-8-09)

~~e-iii~~ Additionally, each candidate must have two (2) years' full-time (or part-time equivalent) school nursing, community health nursing, or any area of pediatric, adolescent, or family nursing experience. (5-8-09)

~~04.d.~~ **Interim Endorsement - School Nurse.** This certificate will be granted for those who do not meet the educational and/or experience requirements but who hold a valid professional nursing (RN) license in Idaho. An Interim Certificate - will be issued for three (3) years while the applicant is meeting the educational requirements, and it is not renewable. (3-29-10)

~~05c.~~ **Speech-Language Pathologist Endorsement.** This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement will be issued to candidates who possess a master's degree from an accredited college or university in a speech/language pathology program approved by the State Board of Education, and who receive an institutional recommendation from an accredited college or university. (3-16-04)

~~06f.~~ **Audiology Endorsement.** This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement will be issued to candidates who possess a master's degree from an accredited college or university in an audiology program approved by the State Board of Education, and who receive an institutional recommendation from an accredited college or university. (3-16-04)

~~07g.~~ **School Social Worker Endorsement.** This endorsement is valid for five (5) years. Six (6) credit hours are required every five (5) years in order to renew the endorsement. Initial endorsement may be accomplished through

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possession of a social work certificate issued by the Idaho Bureau of Occupational Licenses, an institutional recommendation, and completion of one (1) of the following options: (3-16-04)

ai. A master's degree in social work from an Idaho college or university approved by the State Board of Education, or a master's degree in social work from an out-of-state college or university. The program must be currently approved by the state educational agency of the state in which the program was completed. (3-16-04)

bii. A master's degree in guidance and counseling, sociology, or psychology plus thirty (30) semester credit hours of graduate work in social work education, including course work in all the following areas: understanding the individual; casework method; field placement; social welfare programs and community resources; and research methods. (3-16-04)

08h. **Interim Endorsement-Speech Language Pathologist.** This certificate will be granted for those who do not meet the educational requirements but who hold a bachelor's degree in speech language pathology and are pursuing a master's degree in order to obtain the pupil personnel services certificate endorsed in speech language pathology. An interim certificate will be issued for three (3) years while the applicant is meeting the educational requirements, and it is not renewable. (3-29-10)

0265. Administrator Certificate.

Every person who serves as a superintendent, a secondary school principal, or principal of an elementary school with eight (8) or more teachers (including the principal), or is assigned administrative duties over and above those commonly assigned to teachers, is required to hold an Administrator Certificate. The certificate may be endorsed for service as a school principal, a superintendent, or a director of special education and related services. Assistant superintendents are required to hold the Superintendent endorsement. Assistant principals or vice-principals are required to hold the Principal endorsement. Applicants for the Director of Special Education and Related Services endorsement will hold that endorsement on an Administrator Certificate. Proof of proficiency in evaluating teacher performance shall be required of all Administrator Certificate holders. Proof of proficiency in evaluating performance shall be demonstrated by passing a proficiency assessment approved by the State Department of Education as an initial certification requirement. Possession of an Administrator Certificate does not entitle the holder to serve as a teacher at a grade level for which the educator is not qualified or certificated. All administrator certificates require candidates to meet the following competencies of the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership. (3-12-14)

01a. **School Principal Endorsement (Pre-K-12).** To be eligible for an Administrator Certificate endorsed for School Principal Pre-K-12, a candidate must have satisfied the following requirements: (3-16-04)

ai. Hold a master's degree from an accredited college or university. (3-16-04)

bii. Have four (4) years of full-time certificated experience working with students, Pre-K-12, while under contract in an accredited school setting. (3-30-07)

eiii. Have completed an administrative internship in a state-approved program, or have one (1) year of experience as an administrator in grades Pre-K-12. (3-30-07)

div. Provide verification of completion of a state-approved program of at least thirty (30) semester credit hours, forty-five (45) quarter credit hours, of graduate study in school administration for the preparation of school principals at an accredited college or university. This program shall include the competencies of the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership. (3-12-14)

ev. An institutional recommendation is required for a School Principal Pre-K-12 Endorsement. (3-16-04)

02b. **Superintendent Endorsement.** To be eligible for an Administrator Certificate with a Superintendent endorsement, a candidate must have satisfied the following requirements: (3-16-04)

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~~ai.~~ Hold an education specialist or doctorate degree or complete a comparable post-master's sixth year program at an accredited college or university. (3-16-04)

~~bii.~~ Have four (4) years of full-time certificated/licensed experience working with Pre-K-12 students while under contract in an accredited school setting. (3-30-07)

~~eiii.~~ Have completed an administrative internship in a state-approved program for the superintendent endorsement or have one (1) year of out-of-state experience as an assistant superintendent or superintendent in grades Pre-K-12. (3-30-07)

~~div.~~ Provide verification of completion of an approved program of at least thirty (30) semester credit hours, or forty-five (45) quarter credit hours, of post-master's degree graduate study for the preparation of school superintendents at an accredited college or university. This program in school administration and interdisciplinary supporting areas shall include the competencies in Superintendent Leadership, in addition to the competencies in the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership. (3-12-14)

~~ev.~~ An institutional recommendation is required for a School Superintendent Endorsement. (3-16-04)

~~03c.~~ **Director of Special Education and Related Services Endorsement (Pre-K-12).** To be eligible for an Administrator Certificate endorsed for Director of Special Education and Related Services Pre-K-12, a candidate must have satisfied all of the following requirements: (3-16-04)

~~ai.~~ Hold a master's degree from an accredited college or university. (3-16-04)

~~b.ii.~~ Have four (4) years of full-time certificated/licensed experience working with students Pre-K-12, while under contract in a school setting. (3-16-04)

~~eiii.~~ Obtain college or university verification of demonstrated the competencies of the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership. (3-12-14)

~~div.~~ Obtain college or university verification of demonstrated competencies in the following areas, in addition to the competencies in the Idaho Foundation Standards for School Administrators: Concepts of Least Restrictive Environment; Post-School Outcomes and Services for Students with Disabilities Ages Three (3) to Twenty-one (21); Collaboration Skills for General Education Intervention; Instructional and Behavioral Strategies; Individual Education Programs (IEPs); Assistive and Adaptive Technology; Community-Based Instruction and Experiences; Data Analysis for Instructional Needs and Professional Training; Strategies to Increase Program Accessibility; Federal and State Laws and Regulations and School District Policies; Resource Advocacy; and Technology Skills for Referral Processes, and Record Keeping. (3-30-07)

~~ev.~~ Have completed an administrative internship/practicum in the area of administration of special education and related services. (3-16-04)

~~fvi.~~ An institutional recommendation is required for Director of Special Education and Related Services Pre-K-12 Endorsement. (3-16-04)

~~03406.~~ **Certification Standards For Professional-Technical Educators.** Teachers of professional-technical classes or programs in secondary or postsecondary schools must hold an endorsement in an appropriate occupational discipline. This endorsement may be held on a Secondary Standard Teaching Certificate or on an Occupational Specialist Certificate. For postsecondary instructors and administrators, certification fees are set by the State Board for Professional-Technical Education, and application processes are managed by the Division of Professional-Technical Education. (3-16-04)

~~03507.~~ **Degree Based Professional-Technical Certification**

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~~01a. Teacher Preparation Through Degreed Program.~~ Individuals graduating from an approved occupational teacher preparation degree program qualify to teach in the following five (5) disciplines: Agricultural Science & Technology; Business Technology Education; Family & Consumer Sciences; Marketing Technology Education; and Technology Education. Occupational teacher preparation course work must meet the Idaho Standards for the Initial Certification of Professional School Personnel. The occupational teacher education program must provide appropriate content to constitute a major in the identified field. Student teaching shall be in an approved program and include experiences in the major field. Applicants shall have accumulated four-thousand (4,000) clock hours of related work experience or shall have completed an approved practicum in their respective field of specialization. (3-16-04)

~~02b. Professional-Technical Administrator Certificate.~~ The Professional-Technical Administrator certificate is required for an individual serving as an administrator, director, manager or coordinator of professional-technical education at the state, secondary or postsecondary level. Individuals must meet the following prerequisites to qualify for the Professional-Technical Administrator Certificate. Equivalence in each area will be determined on an individual basis by the State Division of Professional-Technical Education. (3-16-04)

~~ai.~~ Qualify for or hold an Occupational Specialist certificate or hold an occupational endorsement on the secondary a standard teaching credential; (3-16-04)

~~bii.~~ Provide evidence of a minimum of three (3) years' teaching in an occupational discipline; (3-16-04)

~~ciii.~~ Hold a masters degree; and, (3-16-04)

~~div.~~ Completed at least fifteen (15) semester credits of administrative course work. Applicants must have completed: financial aspects of professional-technical education; administration of personnel; and legal aspects of professional-technical education. Additional course work can be selected from any of the following areas: administration and supervision of occupational programs; instructional supervision; administration internship; curriculum development; curriculum evaluation; research in curriculum; school community relations; communication; teaching the adult learner; coordination of work-based learning programs; and/or measurement and evaluation. (3-16-04)

~~ev.~~ To renew the Professional-Technical Administrator Certificate, individuals are required to complete six (6) semester hours of related course work or meet renewal requirements for professional-technical teachers. (3-16-04)

~~03c. Work-Based Learning Coordinator Endorsement.~~ Educators assigned to coordinate approved work-based experiences must hold the Work-Based Learning Coordinator endorsement. To be eligible, applicants must hold an occupational endorsement on the Standard Secondary Certificate or qualify for an Occupational Specialist Certificate, plus complete course work in coordination of work-based learning programs. (3-16-04)

~~04d. Career Counselor Endorsement.~~ The endorsement for a Career Counselor may be issued to applicants who hold a current Pupil Personnel Services Certificate endorsed Counselor K-12 and who have satisfied the following professional technical requirement: Career Pathways and Professional Technical Guidance; Principles/Foundations of Professional-Technical Education; and Theories of Occupational Choice. (3-16-04)

~~03608. Industry-Based Professional-Technical Certification, Occupational Specialist Certificate.~~ The Occupational Specialist Certificate is an industry based professional-technical certifications. Persons who need to hold the Occupational Specialist Certificate include: secondary educators assigned to Health Occupations/Professions Education and to Trades & Industry Education/Technical Sciences; those in specialized occupational areas where specific degree-granting professional technical teacher education programs do not exist; and postsecondary professional-technical educators who teach courses to with nice (9) - to twelve (12) students per class. (3-16-04)

~~01a. General Requirements.~~ Applicants must: be eighteen (18) years of age; document full-time, successful, recent, gainful employment in the area for which certification is requested; possess either a high school

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diploma or General Educational Development (GED) certificate; meet provisions of Idaho Code; and, verify technical skills through work experience, certification or testing as listed below. When applicable, requirements of occupationally related state agencies must also be met. Since educational levels and work experiences vary, applicants may be determined highly qualified under any one (1) of the following three (3) options: (3-16-04)

~~ai.~~ Have sixteen-thousand (16,000) hours of full-time, successful, recent, gainful employment in the occupation for which certification is requested. Up to forty-eight (48) months credit can be counted toward the eight (8) years on a month-to-month basis for journeyman training and/or postsecondary training successfully completed as a full-time student in an approved/approvable, postsecondary, professional-technical education program. (3-16-04)

~~bii.~~ Have a bachelor's degree in the specific occupation or related area, plus six-thousand (6,000) hours of full-time, successful, recent, gainful employment in the occupation. (3-16-04)

~~ciii.~~ Meet one (1) of the following: (3-16-04)

~~i.(1)~~ Have at least journeyman level plus two (2) years of recent, full-time, gainful, related work experience. A person who has completed a formal apprenticeship program in the occupation or related area for which certification is requested. The apprenticeship must be under the direction of an employer and the Bureau of Apprenticeship and Training or an approved State Apprenticeship Agency; (3-16-04)

~~ii.(2)~~ Pass approved state or national certification/certification examination plus three (3) years of recent, full-time, gainful, related work experience (length and type of work experience in emergency services and health professions will be determined on an individual basis); or (3-16-04)

~~iii.(3)~~ Pass approved industry related certification for skill level requirements (vendor and industry specific) plus three (3) years of recent, full-time, gainful, related work experience (length and type of work experience in emergency services and health professions will be determined on an individual basis). If no competency test exists, a written recommendation from a representative occupational advisory council/committee and recorded in its minutes is required to verify occupational competence. (3-16-04)

~~02.b.~~ **Limited Occupational Specialist Certificate.** This certificate is issued to individuals who are new to teaching trades and health occupations professions in public schools. The certificate is valid for three (3) years and is non-renewable. (3-16-04)

~~ai.~~ Within the first eighteen (18) months, the holder must complete the pre-service workshop sponsored by the State Division of Professional-Technical Education and an approved course in professional technical methods and student assessment. (3-16-04)

~~b.ii.~~ Complete a new-teacher induction workshop at the state or district level. (3-16-04)

~~eiii.~~ File a ~~P~~rofessional ~~D~~evelopment ~~P~~lan with the State Division of Professional-Technical Education. (3-16-04)

~~div.~~ Within the three (3) year period of the Limited Occupational Specialist Certificate, the instructor must satisfactorily complete course work which includes competencies in four (4) of the following: Principles/Foundations of Occupational Education; Career Pathways and Guidance; Analysis, Integration, and Curriculum Development; Measurement and Evaluation; and Methods of Teaching Occupational Education. (3-16-04)

~~03c.~~ **Standard Occupational Specialist Certificate.** This certificate is issued to individuals who have completed course work equivalent to that required of the Limited Occupational Specialist Certificate. The certificate must be renewed every five (5) years, which shall include completion of six (6) semester credit hours of approved course work or verification of two hundred-forty (240) hours of approved related work experience or ninety (90) hours of attendance at approved technical conferences, institutes, or workshops or any equivalent combination thereof, and file of a Professional Development Plan for the next certification period. (3-16-04)

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04d. Advanced Occupational Specialist Certificate. This certificate is issued to individuals who meet all the requirements outlined below: (3-16-04)

ai. Meet the requirements for the Standard Occupational Specialist Certificate; (3-16-04)

bii. Provide evidence of completion of a teacher training degree program or eighteen (18) semester credits of approved course work in addition to the twelve (12) semester credits required for the Standard Occupational Specialist Certificate (a total of thirty (30) semester credits); and (3-16-04)

ei.iii. File a new Professional Development Plan for the next certification period. (3-16-04)

div. This certificate must be renewed every five (5) years, which shall include completion of six (6) semester credit hours of approved course work or submit verification of two hundred-forty (240) hours of approved related work experience or ninety (90) hours of attendance at approved technical conferences, institutes and workshops or any equivalent combination thereof, and file a new Professional Development Plan for the next certification period. (3-16-04)

03209. Postsecondary Specialist.

A Postsecondary Specialist certificate will be granted to a current faculty member whose primary employment is with any accredited Idaho postsecondary institution. To be eligible to teach in the public schools under this postsecondary specialist certificate, the candidate must supply a recommendation from the employing institution (faculty's college dean). The primary use of this state-issued certificate will be for distance education, virtual classroom programs, and for public and postsecondary partnerships. (3-26-08)

01a. Renewal. This certificate is good for five (5) years and is renewable. To renew the certificate, the renewal application must be accompanied with a new written recommendation from the postsecondary institution (faculty's college dean level or higher). (3-26-08)

02b. Fees. The fee is the same as currently in effect for an initial or renewal certificate as established in Section 066 of these rules. (3-26-08)

03c. Qualifications. The candidate must: (3-26-08)

ai. Hold a masters degree or higher in the content area being taught; (3-26-08)

bii. Be currently employed by the post secondary institution in the content area to be taught; and (3-26-08)

ei.iii. Complete and pass a criminal history check as required according to Section 33-130, Idaho Code. (3-26-08)

02510. American Indian Language (Section 33-1280, Idaho Code).

Each Indian tribe shall provide to the State Department of Education the names of those highly and uniquely qualified individuals who have been designated to teach the tribe's native language in accordance with Section 33-1280, Idaho Code. Individuals identified by the tribe(s) may apply for an Idaho American Indian Certificate as American Indian languages teachers. (4-9-09)

01a. Process the Application. The Office of Indian Education at the State Department of Education will process an application that has met the requirements of the Tribe(s) for an American Indian languages teacher. (4-9-09)

02b. Approval Has Been Received. Once an application with Tribal approval has been received, it will be reviewed and, if approved, it will be forwarded to the Office of Certification for a criminal history background check as required in Section 33-130, Idaho Code. The application must include a ten finger fingerprint card or scan and a forty dollar (\$40) fee for undergoing a criminal history check pursuant to Section 33-130, Idaho Code. (4-9-09)

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03c. **Office of Certification.** The Office of Certification will review the application and verify the applicant is eligible for an Idaho American Indian Certificate. The State Department of Education shall authorize an eligible applicant as an American Indian languages teacher. An Idaho American Indian Certificate is valid for not more than five (5) years. Individuals may apply for a renewal certificate. (4-9-09)

0311. Junior Reserved Officer Training Corps (Junior ROTC) Instructors.

01a. **List of Names.** Each school district with a Junior ROTC program shall provide the State Department of Education with a list of the names of those individuals who have completed an official armed forces training program to qualify as Junior ROTC instructors in high schools. (4-11-06)

02b. **Notarized Copy.** Each school district with a Junior ROTC program shall provide the State Department of Education with a notarized copy of their certificate(s) of completion. (4-11-06)

03c. **Authorization Letter.** Upon receiving the items identified in Subsections 031.01a and 031.02b, the State Department of Education shall issue a letter authorizing these individuals as Junior ROTC instructors. (4-11-06)

12. Additional Renewal Requirements. In addition to specific certificate or endorsement renewal requirements, applicants must meet the following renewal requirements as applicable:

01a. Renewal Requirement—Mathematics In-Service Program. In order to recertify, the state approved mathematics instruction course titled “Mathematical Thinking for Instruction”, or another State Department of Education approved alternative course, shall be required. The “Mathematical Thinking for Instruction” course consists of three (3) credits (or forty-five (45) contact hours of in-service training). Teachers and administrators shall take one (1) of the three (3) courses developed that ~~each teacher deems to be~~ most closely aligned with their current assignment prior to September 1, 2014. Any teacher or administrator successfully completing said course shall be deemed to have met the requirement of Subsection 060.03.c. of this rule, regardless of whether such course is part of any official transcript. Successful completion of a state approved mathematics instruction course shall be a one-time requirement for renewal of certification for those currently employed in an Idaho school district and shall be included within current requirements for continuing education for renewal. The following individuals listed in Subsection 016.01.a. through 016.01.e. shall must successfully complete the “Mathematical Thinking for Instruction” course in order to recertify:

(3-20-14)

ai. Each teacher holding an Early Childhood/Early Childhood Special Education Blended Certificate (Birth - Grade 3) who is employed ~~inby an elementary classroom (multi subject classroom K-8)~~ local education agency; (3-29-10)

bii. Each teacher holding a Standard ~~Elementary~~ Teaching Certificate ~~(K-8)~~ who is employed ~~inby an elementary classroom (multi subject classroom K-8)~~ local education agency; (3-20-14)

eiii. Each teacher holding a Standard ~~Secondary~~ Teaching Certificate ~~(6-12)~~ teaching in a math content classroom (grade six (6) through grade twelve (12)) including Title I who is employed ~~inby an elementary classroom (multi subject classroom K-8)~~ local education agency; (3-20-14)

div. Each teacher holding a Standard Exceptional Child Certificate (K-12) who is employed ~~inby an elementary classroom (multi subject classroom K-8)~~ local education agency; and (3-20-14)

ev. Each school administrator holding an Administrator Certificate (Pre K-12) who is employed ~~inby an elementary classroom (multi subject classroom K-8)~~ local education agency, including all school district and charter administrators.

(3-20-14)

03b. **Waiver of Mathematics In-Service Program.** When applying for certificate renewal, an automatic

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waiver of the mathematics in-service program requirement shall be granted for any certificated individual living outside of the state of Idaho who is not currently employed as an educator in the state of Idaho. This waiver applies only as long as the individual remains outside the state of Idaho or as long as the individual is not employed as an educator in the state of Idaho. Upon returning to Idaho or employment in an Idaho public school, the educator will need to complete this requirement prior to the next renewal period. (3-20-14)

04c. Renewal Requirement — Idaho Comprehensive Literacy Course. In order to recertify, a state approved Idaho Comprehensive Literacy Course shall be required. Successful completion of a state approved Idaho Comprehensive Literacy course shall be a one-time requirement for renewal of certification for those currently employed in an Idaho school district and shall be included within current requirements for continuing education for renewal. The following individuals listed in Subsection 016.04.a. through 016.04.c. shall must successfully complete an Idaho Comprehensive Literacy course in order to recertify: (4-4-13)

ai. Each teacher holding an Early Childhood/Early Childhood Special Education Blended Certificate (Birth - Grade 3) who is employed ~~in~~by an elementary classroom (multi subject classroom, K-8) local education agency; (4-4-13)

bii. Each teacher holding a Standard Elementary Certificate (K-8) who is employed ~~in~~by an elementary classroom (K-8) local education agency; and (3-20-14)

eiii. Each teacher holding a Standard Exceptional Child Certificate (K-12) who is employed ~~in~~by a K-12 classroom local education agency. (3-20-14)

0165. IDAHO INTERIM CERTIFICATE.

01. Issuance of Interim Certificate. The State Department of Education is authorized to issue a three-year (3) interim certificate to those applicants who hold a valid certificate/license from another state or other entity that participates in the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement or engaged in an alternate route to authorization as prescribed herein. An interim certificate is nonrenewable except under extenuating circumstances.

(4-2-08)

~~a.~~**02 Idaho Comprehensive Literacy Course.** For all Idaho teachers working on interim certificates, alternate routes or coming from out of the state, completion of a state approved ~~reading instruction~~Idaho Comprehensive Literacy course shall be a one-time requirement for full certification. (4-7-11)

a. Those individuals who qualify for an Idaho certificate through state reciprocity shall be granted a three-year, non-renewable, interim certificate to allow time to meet the Idaho Comprehensive Literacy Course requirement. (3-20-14)

03. Mathematical Thinking for Instruction. Out-of-state applicants shall take the state approved mathematics instruction course titled “Mathematical Thinking for Instruction” as a certification requirement. The “Mathematical Thinking for Instruction” course consists of three (3) credits (or forty-five (45) contact hours of in-service training). Those individuals who qualify for an Idaho certificate through state reciprocity shall be granted a three-year, non-renewable, interim certificate to allow time to meet the Idaho Mathematics In-service program requirement. (4-4-13)

~~b.~~**04. Technology.** Out-of-state applicants will be reviewed by the hiring district for technology deficiencies and may be required to take technology courses to improve their technology skills. (4-7-11)

~~02~~**05. Reinstatement of Expired Certificate.** An individual holding an expired Idaho certificate may be issued a nonrenewable three-year interim certificate. During the validity period of the interim certificate, the applicant must meet all current requirements listed for the specific certificate and endorsement(s) including the appropriate content, pedagogy, and performance assessments. (3-29-12)

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0306. Foreign Institutions. An educator having graduated from a foreign institution that is listed in the Accredited Degree-Granting Institutions section of the “Accredited Institutions of Postsecondary Education” and having a valid/current teaching certificate/license from the country or province in which the foreign institution is located, may be issued a non-renewable, three-year interim certificate. The applicant must also complete the requirements listed in Section 013 of these rules. (4-2-08)

000017. INTERSTATE CERTIFICATION COMPACT.

Idaho participates in the Interstate Agreement of Qualification of Education Personnel. This agreement applies equally to teachers entering Idaho from another compact-member state and to teachers entering another compact-member state from Idaho. The compact applies to classroom teachers only. Trades and industries teachers are not covered by the agreement. (Section 33-4104, Idaho Code) (4-1-97)

017018. CONTENT, PEDAGOGY AND PERFORMANCE ASSESSMENT FOR CERTIFICATION.

01. Assessments. State Board of Education approved content, pedagogy and performance area assessments shall be used in the state of Idaho to ensure qualified teachers are employed in Idaho’s classrooms. The Professional Standards Commission shall recommend assessments and qualifying scores to the State Board of Education for approval. (4-2-08)

02. Out-of-State Waivers. An out-of-state applicant for Idaho certification holding a current certificate may request a waiver from the above requirement. The applicant shall provide evidence of passing a state approved content, pedagogy and performance area assessment(s) or hold current National Board for Professional Standards Teaching Certificate. (4-2-08)

03. Idaho Comprehensive Literacy Assessment. All applicants for initial Idaho certification (Kindergarten through grade twelve (12)) from an Idaho approved teacher education program must demonstrate competency in comprehensive literacy. Areas to be included as parts of the assessment are: phonological awareness, phonics, fluency, vocabulary, comprehension, writing, and assessments and intervention strategies. Each Idaho public higher education institution shall be responsible for the assessment of teacher candidates in its teacher preparation program. The assessment must measure teaching skills and knowledge congruent with current research on best literacy practices for elementary students or secondary students (adolescent literacy) dependent upon level of certification and English Language Learners. In addition the assessment must measure understanding and the ability to apply strategies and beliefs about language, literacy instruction, and assessments based on current research and best practices congruent with International Reading Association/National Council of Teachers of English standards, National English Language Learner’s Association professional teaching standards, National Council for Accreditation of Teacher Education standards, and state accreditation standards. (4-7-11)

04. Technology Assessment. All applicants for initial Idaho certification (Kindergarten through grade twelve (12)) from an Idaho approved teacher education program must demonstrate proficiency in relevant technology skills and practices to enhance classroom management and instruction. Each Idaho public higher education institution shall be responsible for the assessment of teacher candidates in its teacher preparation program. The assessment must measure understanding and the ability to apply strategies and beliefs about the integration of technology based on current research and best practices congruent with the International Society for Technology in Education professional teaching standards, the National Council for Accreditation of Teacher Education standards, and state accreditation standards. (4-7-11)

019-020 (Reserved)

021. ENDORSEMENTS.

Holders of a Secondary Certificate or a Standard Elementary Certificate, Exceptional Child Certificate, Standard Occupational Specialist Certificate, and Advanced Occupational Specialist Certificate may be granted endorsements in subject areas as provided herein. Idaho preparation programs shall prepare candidates for endorsements in accordance with the Idaho Standards for Initial Certification of Professional School Personnel. An official statement of competency in a teaching area or field is acceptable in lieu of courses for a teaching major or minor if such statements originate in the department or division of the accredited college or university in which the competency is

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established and are approved by the director of teacher education of the recommending college or university. To add an endorsement to an existing credential, an individual shall complete the credit hour requirements as provided herein and shall also meet or exceed the state qualifying score on appropriate, state approved content, pedagogy and performance assessments. When converting semester credit hours to quarter credit hours, two (2) semester credit hours is equal to three (3) quarter credit hours. (4-4-13)

01. Clinical Experience Requirement. All endorsements require supervised teaching experience in the relevant content area, or a State Department of Education approved alternative clinical experience. (3-12-14)

~~02.~~ **Alternate Authorization Preparation Program.** Candidates shall meet all requirements for the endorsement/certificate as provided herein. (3-20-04)

~~ba.~~ Option II - National Board (endorsement only). By earning National Board certification in content specific areas teachers may gain endorsement in a corresponding subject area. (5-8-09)

~~eb.~~ Option III - Master's degree or higher (endorsement only). By earning a graduate degree in a content specific area, candidates may add an endorsement in that same content area to a valid certificate. (5-8-09)

~~ec.~~ Option IV/III - Testing and/or Assessment (endorsement only). Two (2) pathways are available to some teachers, depending upon endorsement(s) already held. (5-8-09)

i. Pathway 1 - Endorsements may be added through state-approved testing and a mentoring component. The appropriate test must be successfully completed within the first year of authorization in an area closely compatible with an endorsement for which the candidate already qualifies and is experienced. Additionally requires the successful completion of a one (1)-year state-approved mentoring component. (5-8-09)

ii. Pathway 2 - Endorsements may be added through state-approved testing in an area less closely compatible with an endorsement for which the candidate already qualifies and is experienced. The appropriate test must be successfully completed within the first year of the authorization. Additionally requires the successful completion of a one (1)-year state-approved mentoring component and passing a final pedagogy assessment. (5-8-09)

022. ENDORSEMENTS A - D.

01. Agriculture Science and Technology (6-12). (3-16-04)

a. Forty-five (45) semester credit hours including course work in each of the following areas: agriculture education; agriculture mechanics; agriculture business management; soil science; animal science; and plant science. (3-16-04)

b. Occupational teacher preparation coursework that relates to the appropriate area(s) as provided in Sections 034 through 038. (4-4-13)

02. American Government /Political Science (6-12). Twenty (20) semester credit hours to include: a minimum of six (6) semester credit hours in American Government, six (6) semester credit hours in U.S. History Survey, and a minimum of three (3) semester credit hours in Comparative Government. Remaining course work must be selected from Political Science. Course work may include three (3) semester credit hours in World History Survey. (4-11-06)

03. Art (K-12 or 6-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Visual Arts Teachers in the area of Art to include a minimum of nine (9) semester credit hours in: Foundation Art and Design. Additional course work must include at least two (2) Studio Areas and Secondary Arts Methods. To obtain an Art (K-12) endorsement, applicants holding a Secondary Certificate must complete an elementary methods course. (4-7-11)

04. Bilingual Education (K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Bilingual Education Teachers to include all of the following: at least nine (9) upper

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division semester credit hours in one (1) Modern Language other than English, including writing and literature, and advanced proficiency according to the American Council on the Teaching of Foreign Languages (ACTFL) guidelines; cultural diversity; ENL/Bilingual Methods; second language acquisition theory and practice; Foundations of ENL/Bilingual Education, Federal and State Law, Testing/identification of Limited English Proficient Students; at least two (2) semester credit hours in Bilingual Practicum; and three (3) semester credit hours in a Bilingual Education related elective (ex: linguistics, critical pedagogy, parent involvement). (4-4-13)

05. Biological Science (6-12). Twenty (20) semester credit hours to include at least six (6) semester credit hours of course work in each of the following areas: Botany and Zoology. (3-16-04)

06. Business Technology Education (6-12). (3-16-04)

a. Twenty (20) semester credit hours to include course work in each of the following areas: accounting; computer and technical applications in business; economics; methods of teaching business education; Professional-Technical Student Organization (PTSO) leadership; business communication/writing; and office procedures. Additional competencies may be satisfied through the following: entrepreneurship; finance; marketing; business law; and/or career guidance. (4-4-13)

b. Occupational teacher preparation that relates to the appropriate area(s) as provided in Sections 034 through 038. (4-4-13)

07. Chemistry (6-12). Twenty (20) semester credit hours in the area of Chemistry. (3-16-04)

08. Communication (6-12). Follow one (1) of the following options: (3-16-04)

a. Option I: Twenty (20) semester credit hours to include Methods of Teaching Speech/Communications plus course work in at least four (4) of the following areas: Interpersonal Communication/Human Relations; Argumentation/Personal Persuasion; Group Communications; Nonverbal Communication; Public Speaking; and Drama/Theater Arts. (3-16-04)

b. Option II: Possess an English endorsement plus at least twelve (12) semester credit hours distributed among the following: Interpersonal Communication/Human Relations, Public Speaking, and Methods of Teaching Speech/Communication. (3-16-04)

029. Consulting Teacher/Teacher Leader Endorsement.

Consulting teachers provide technical assistance to teachers and other staff in the school district with regard to the selection and implementation of appropriate teaching materials, instructional strategies, and procedures to improve the educational outcomes for students. Candidates who hold this endorsement are teacher leaders who will facilitate the design and implementation of sustained, intensive, and job-embedded professional learning based on identified student and teacher needs. This endorsement is valid for five (5) years and is renewable based upon successful completion and verification of an additional four (4) semester credits beyond those required for standard certification renewal. The additional credits shall be taken for university or college credit consistent with the Individual Professional Learning Plan (IPLP). (4-4-13)

01a. Special Education Consulting Teacher - Eligibility for Endorsement. To be eligible for a Special Education Consulting Teacher endorsement on the Standard Exceptional Child Certificate, the Early Childhood /Early Childhood Special Education Blended Certificate (Birth-Grade 3), the Standard Elementary Certificate or the Standard Secondary Teaching Certificate, a candidate must have satisfied the following requirements: (3-29-10)

ai. Education Requirements. Qualify for or hold a Standard Exceptional Child Certificate and qualify for or hold a Standard Elementary Certificate, Standard Secondary Certificate, or Early Childhood/Early Childhood Special Education Blended Certificate (Birth-Grade 3), and hold a master's degree or an approved fifth year program as defined by the Idaho State Board of Education, and have demonstrated content competencies in the following areas: (4-4-13)

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- i(1). Assessment of learning behaviors; (4-4-13)
- ii(2). Individualization of instructional programs based on educational diagnosis; (4-4-13)
- iii(3). Behavioral and/or classroom management techniques; (4-4-13)
- iv(4). Program implementation and supervision; (4-4-13)
- v(5). Knowledge in use of current methods, materials and resources available and management and operation of media centers; (4-4-13)
- vi(6). Ability in identifying and utilizing community or agency resources and support services; and (4-4-13)
- vii(7). Counseling skills and guidance of professional staff. (4-4-13)
- bii. Experience. Completion of a minimum of three (3) years' teaching experience, at least two (2) years of which must be in a special education classroom setting. (3-16-04)
- eiii. Provides verification of completion of a state-approved program of at least twenty (20) semester credit hours of study at an accredited college or university or a state-approved equivalent. Program shall include: (4-4-13)
- i(1) Ninety (90) contact hours to include a combination of face-to-face and field-based professional development activities; and (4-4-13)
- ii(2) The development and presentation of a culminating portfolio that provides evidence that knowledge gained and skills acquired are aligned with Idaho Teacher Leader Standards as follows: (4-4-13)
 - (1) Understanding Adults As Learners to Support Professional Learning Communities; (4-4-13)
 - (2) Accessing and Using Research to Improve Practice and Student Achievement; (4-4-13)
 - (3) Promoting Professional Learning for Continuous Improvement; (4-4-13)
 - (4) Facilitating Improvements in Instruction and Student Learning; (4-4-13)
 - (5) Using Assessments and Data for School and District Improvement; (4-4-13)
 - (6) Improving Outreach and Collaboration with Families and Community; and (4-4-13)
 - (7) Advocating for Student Learning and the Profession. (4-4-13)
- div. Not less than one (1) semester of successful experience as a special education teacher working with classroom teachers in elementary or secondary schools. (4-4-13)
- 02b. Mathematics Consulting Teacher - Eligibility for Endorsement.** To be eligible for a Mathematics Consulting Teacher endorsement on the Standard ~~Elementary~~ Teaching Certificate, ~~Standard Secondary Certificate~~, Standard Exceptional Child Certificate, or Early Childhood/Early Childhood Special Education Blended Certificate (Birth-Grade 3), a candidate must have satisfied the following requirements: (3-29-10)
- ai. Education Requirements. Qualify for or hold a Standard ~~Elementary~~ Teaching Certificate, ~~Standard Secondary Certificate~~, Standard Exceptional Child Certificate, or Early Childhood/Early Childhood Special Education Blended Certificate (Birth-Grade 3) and have demonstrated content competencies. Coursework and content domains required include the full series of Mathematics Thinking for Instruction (MTI), Number and Operation, Geometry, Algebraic Reasoning, Measurement and Data Analysis, and Statistics and Probability which are centered on the

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following emphases: (4-4-13)

~~i.~~(1) Structural Components of Mathematics; (4-4-13)

~~ii.~~(2) Modeling, Justification, Proof and Generalization; (4-4-13)

~~iii.~~(3) Mathematical Knowledge for Teaching (Ball, Thames, & Phelps, 2008). (4-4-13)

~~bii.~~ Experience. Completion of a minimum of three (3) years' teaching experience. (3-29-10)

~~eiii.~~ Provides verification of completion of a state-approved program of at least twenty (20) semester credit hours of study at an accredited college or university or a state-approved equivalent. Program shall include:

(4-4-13)

~~i.~~(1) Ninety (90) contact hours to include a combination of face-to-face and field-based professional development activities; and (4-4-13)

~~ii.~~(2) The development and presentation of a culminating portfolio that provides evidence that knowledge gained and skills acquired are aligned with Idaho Teacher Leader Standards as follows: (4-4-13)

~~(1)~~ Understanding Adults As Learners to Support Professional Learning Communities; (4-4-13)

~~(2)~~ Accessing and Using Research to Improve Practice and Student Achievement; (4-4-13)

~~(3)~~ Promoting Professional Learning for Continuous Improvement; (4-4-13)

~~(4)~~ Facilitating Improvements in Instruction and Student Learning; (4-4-13)

~~(5)~~ Using Assessments and Data for School and District Improvement; (4-4-13)

~~(6)~~ Improving Outreach and Collaboration with Families and Community; and (4-4-13)

~~(7)~~ Advocating for Student Learning and the Profession. (4-4-13)

~~div.~~ Not less than one (1) semester of successful experience as a mathematics teacher working with classroom teachers in elementary or secondary schools. (4-4-13)

10. Drama (6-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Drama Teachers, including a minimum of sixteen (16) semester credit hours in Drama or Theater Arts, including course work in each of the following: Acting, Directing, and Technical Stage Production, and four (4) semester credit hours in Communications. To obtain a Drama (6-12) endorsement, applicants must complete a comprehensive methods course including the pedagogy of acting, directing and technical theatre. (4-7-11)

023. ENDORSEMENTS E - L.

01. Earth Science (6-12). Twenty (20) semester credit hours including course work in each of the following: Earth Science, Astronomy, and Geology. (4-11-06)

02. Economics (6-12). Twenty (20) semester credit hours to include a minimum of three (3) semester credit hours of micro-economics, a minimum of three (3) semester credit hours of macro-economics, and a minimum of six (6) semester credit hours of Personal Finance/Consumer Economics/Economics Methods. Remaining course work may be selected from economics and finance course work in one (1) or more of the following areas: Agriculture Science and Technology, Business Education, Economics, Family and Consumer Science, or Marketing Education.

(4-11-06)

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03. English (6-12). Twenty (20) semester credit hours, including three (3) semester credit hours in Linguistics/Grammar, three (3) semester credit hours in American Literature, three (3) semester credit hours in English Literature, six (6) semester credit hours in Advanced Composition, excluding the introductory sequence designed to meet general education requirements. Remaining credits must be completed in the English Department, and must include some course work in Writing Methods for Teachers of Secondary Students. (3-16-04)

04. English as a New Language (ENL) (K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for ENL Teachers to include all of the following: at least four (4) semester credit hours in a modern language other than English; Cultural Diversity; ENL Methods; Linguistics; second language acquisition theory and practice; Foundations of ENL/Bilingual Education, Federal and State Law, Testing/Identification of Limited English Proficient Students; and at least one (1) semester credit in ENL Practicum or Field Experience. (4-4-13)

05. Family and Consumer Sciences (6-12). (4-4-13)

a. Thirty (30) semester credit hours to include coursework in each of the following areas: Child/Human Development; Human/Family Relations; Directed Laboratory Experience in Childcare; Apparel and Textiles, Cultural Dress, Fashion Merchandising, or Design; Nutrition; Food Preparation, Food Production, or Culinary Arts; Housing, Interior Design, Home Management, or Equipment; Consumer Economics or Family Resource Management; Introduction to Family Consumer Sciences; Professional-Technical Student Organization (PTSO) leadership; and Integration of Family Consumer Sciences or Family Consumer Science Methods. (4-4-13)

b. Occupational teacher preparation that relates to the appropriate area(s) as provided in Sections 034 through 038. (4-4-13)

06. Geography (6-12). Twenty (20) semester credit hours including course work in Cultural Geography and Physical Geography, and a maximum of six (6) semester credit hours in World History Survey. Remaining semester credit hours must be selected from Geography. (4-11-06)

07. Geology (6-12). Twenty (20) semester credit hours in the area of Geology. (3-16-04)

08. Gifted and Talented (K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Gifted and Talented Education Teachers, to include semester credit hours in each of the following areas: Foundations of Gifted and Talented Education; Creative/Critical Thinking Skills for Gifted and Talented Students; Social and Emotional Needs of Gifted and Talented Students; Curriculum, Instruction, and Assessment for Gifted and Talented Students; Differentiated Instruction and Programing for Gifted and Talented Students; and Practicum and Program Design for Gifted and Talented Education. Remaining course work must be in the area of gifted education. (3-12-14)

09. Health (6-12 or K-12). Twenty (20) semester credit hours to include course work in Organization/Administration/Planning of a School Health Program; Health and Wellness; Secondary Methods of Teaching Health; Mental/Emotional Health; Nutrition; Human Sexuality; Substance Use and Abuse. Remaining semester credits must be in health-related course work. To obtain a Health K-12 endorsement, applicants must complete an elementary Health methods course. (4-4-13)

10. History (6-12). Twenty (20) semester credit hours to include a minimum of six (6) semester credit hours of U.S. History Survey and a minimum of six (6) semester credit hours of World History Survey. Remaining course work must be in History. Course work may include three (3) semester credit hours in American Government. (4-11-06)

11. Humanities (6-12). An endorsement in English, History, Music, Visual Art, Drama, or Foreign Language and twenty (20) semester credit hours in one of the following areas or ten (10) semester credit hours in each of two (2) of the following areas: Literature, Music, Foreign Language, Humanities Survey, History, Visual Art, Philosophy, Drama, Comparative World Religion, Architecture, and Dance. (4-11-06)

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12. Journalism (6-12). Follow one (1) of the following options: (3-16-04)

a. Option I: Twenty (20) semester credit hours to include a minimum of sixteen (16) semester credit hours in Journalism and four (4) semester credit hours in English. (3-16-04)

b. Option II: Possess an English endorsement with a minimum of six (6) semester credit hours in Journalism. (3-16-04)

13. Literacy (K-12). Twenty-one (21) semester credit hours leading toward competency as defined by Idaho Standards for Literacy Teachers to include the following areas: Foundations of Literacy (including reading, writing, and New Literacies); Development and Diversity of Literacy Learners; Literacy in the Content Area; Literature for Youth; Language Development; Corrective/Diagnostic/Remedial Reading; and Writing Instruction. To obtain a Literacy endorsement, applicants must complete the Idaho Comprehensive Literacy Course or the Idaho Comprehensive Literacy Assessment. (3-12-14)

024. ENDORSEMENTS M - Z.

01. Marketing Technology Education (6-12). (3-16-04)

a. Twenty (20) semester credit hours to include course work in each of the following areas: Marketing; Management; Economics; Coordination of Cooperative Programs; Merchandising/Retailing; Methods of Teaching Marketing Education; and Professional-Technical Student Organization (PTSO) Leadership, with remaining credit hours in Entrepreneurship; Hospitality and Tourism; Finance; or Accounting. (4-4-13)

b. Occupational teacher preparation that relates to the appropriate area(s) as provided in Sections 034 through 038. (4-4-13)

02. Mathematics - Basic (6-12). Twenty (20) semester credit hours in Mathematics including course work in Algebra, Geometry, and Trigonometry. Six (6) semester credit hours of computer programming may be substituted for six (6) semester credits in Mathematics. (3-16-04)

03. Mathematics (6-12). Twenty (20) semester credit hours including course work in each of the following areas: Geometry, Linear Algebra, Discrete Mathematics, Probability and Statistics, and a minimum of three (3) semester credit hours of Calculus. Statistics course work may be taken from a department other than the mathematics department. (4-11-06)

04. Music (6-12 or K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Music Teachers to include course work in the following: Theory and Harmony; Aural Skills, Music History; Conducting; Applied Music; and Piano Proficiency (Class Piano or Applied Piano), and Secondary Music Methods/Materials. To obtain a Music K-12 endorsement, applicants must complete an elementary music methods course. (4-7-11)

05. Natural Science (6-12). Follow one (1) of the following options: (4-7-11)

a. Option I: Must hold an existing endorsement in one of the following areas: Biological Science, Chemistry, Earth Science, Geology, or Physics; and complete a total of twenty-four (24) semester credit hours as follows: (4-7-11)

i. Existing Biological Science Endorsement. Minimum of eight (8) semester credit hours in each of the following areas: Physics, Chemistry, and Earth Science or Geology. (4-7-11)

ii. Existing Physics Endorsement. Minimum of eight (8) semester credit hours in each of the following areas: Biology, Chemistry, and Earth Science or Geology. (4-7-11)

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iii. Existing Chemistry Endorsement. Minimum of eight (8) semester credit hours in each of the following areas: Biology, Physics, and Earth Science or Geology. (4-7-11)

iv. Existing Earth Science or Geology Endorsement. Minimum of eight (8) semester credit hours in each of the following areas: Biology, Physics, and Chemistry. (4-7-11)

b. Option II: Must hold an existing endorsement in Agriculture Science and Technology; and complete twenty (20) semester credit hours with at least four (4) semester credit hours in each of the following areas: Biology, Chemistry, Earth Science or Geology, and Physics. (4-7-11)

03306. Online Teacher Endorsement (Pre-k-12).

~~01. Online Teacher Endorsement. To be eligible for an Online-Teacher Endorsement (Pre-K-12), a candidate must have satisfied the following requirements: (4-7-11)~~

~~a. Meets the states' professional teaching and/or licensure standards and is qualified to teach in his/her field of study. (4-7-11)~~

~~b. Provides evidence of online experience or course time both as a student and as a learner, and demonstrates online learning and teaching proficiency. (4-7-11)~~

~~c. Has completed (completes) an eight (8) week online teaching internship in a Pre-K-12 program, or have one (1) year of verifiable and successful experience as a teacher delivering curriculum online in grades Pre-K-12 within the past three (3) years. (4-7-11)~~

~~d. Provides verification of completion of a state-approved program of at least twenty (20) semester credit hours of study in online teaching and learning at an accredited college or university or a state-approved equivalent. (4-7-11)~~

~~02e. Proficiency in Idaho Standards for Online Teachers. Demonstrates proficiency in the Idaho Standards for Online Teachers including the following competencies: (4-7-11)~~

~~ai. Knowledge of Online Education and Human Development; (4-7-11)~~

~~bii. Facilitate and Inspire Student Learning and Creativity; (4-7-11)~~

~~ciii. Design and Develop Digital-Age Learning Experiences and Assessments Standards; (4-7-11)~~

~~dii. Model Digital-Age Work and Learning; Promote and Model Digital Citizenship and Responsibility Standards; and (4-7-11)~~

~~ev. Engage in Professional Growth and Leadership. (4-7-11)~~

06. Physics (6-12). Twenty (20) semester credit hours in the area of Physics. (3-16-04)

07. Physical Education (PE) (6-12 or K-12). Twenty (20) semester credit hours to include course work in each of the following areas: Sport, Movement, and Outdoor Skills; Secondary PE Methods; Student Evaluation in PE; Administration of a PE Program; Safety and Prevention of Injuries; Fitness and Wellness; PE for Special Populations; Exercise Physiology; Kinesiology/Biomechanics; Sports Psychology or Sociology; Motor Behavior; and Current CPR and First Aid Certification. To obtain a PE K-12 endorsement, applicants must complete an elementary PE methods course. (4-4-13)

08. Physical Education/Health. Must have an endorsement in both physical education and health. (3-30-07)

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- 09. Physical Science (6-12).** Twenty (20) semester credit hours in the area of physical science to include a minimum of eight (8) semester credit hours in each of the following: Chemistry and Physics. (3-16-04)
- 10. Psychology.** Twenty (20) semester credit hours in the area of Psychology. (3-16-04)
- 11. Social Studies (6-12).** Must have an endorsement in History, American Government/Political Science, Economics, or Geography plus a minimum of twelve (12) semester credit hours in each of the remaining core endorsements areas: History, Geography, Economics, and American Government/Political Science. (3-29-10)
- 12. Sociology (6-12).** Twenty (20) semester credit hours in the area of Sociology. (3-16-04)
- 13. Sociology/Anthropology (6-12).** Twenty (20) semester credit hours including a minimum of six (6) semester credit hours in each of the following: Anthropology and Sociology. (3-16-04)
- 14. Teacher Librarian (K-12).** Twenty (20) semester credit hours of coursework leading toward competency as defined by Idaho Standards for Teacher Librarians to include the following: Collection Development/Materials Selection, Literature for Children and/or Young Adults; Organization of Information (Cataloging and Classification); School Library Administration/Management; Library Information Technologies; Information Literacy; and Reference and Information Service. (3-12-14)
- 15. Technology Education (6-12).** (3-16-04)
- a.** Twenty (20) semester credit hours to include course work in each of the following areas: Communication Technology; Computer Applications; Construction Technology; Electronics Technology; Manufacturing Technology; Power, Energy and Transportation and other relevant emerging technologies; and Principles of Engineering Design. (4-4-13)
- b.** Occupational teacher preparation that relates to the appropriate area(s) as provided in Sections 034 through 038. (4-4-13)
- 16. World Language (6-12 or K-12).** Twenty (20) semester credit hours to include a minimum of twelve (12) upper division credits in a specific world language taken within the last ten (10) years leading to a proficiency level as defined by a state-approved exam (for example, a passing grade on the Praxis or an Advanced level as defined by the American Council on the Teaching of Foreign Languages (ACTFL)). Course work must include two (2) or more of the following areas: Grammar, Conversation, Composition, Culture, and Literature; and course work in Foreign Language Methods. To obtain an endorsement in a specific foreign language (K-12), applicants holding a Secondary Certificate must complete an elementary methods course. (4-4-13)

~~**025. AMERICAN INDIAN LANGUAGE (SECTION 33-1280, IDAHO CODE).**~~

~~Each Indian tribe shall provide to the State Department of Education the names of those highly and uniquely qualified individuals who have been designated to teach the tribe's native language in accordance with Section 33-1280, Idaho Code. Individuals identified by the tribe(s) may apply for an Idaho American Indian Certificate as American Indian languages teachers. (4-9-09)~~

~~**01. Process the Application.** The Office of Indian Education at the State Department of Education will process an application that has met the requirements of the Tribe(s) for an American Indian languages teacher. (4-9-09)~~

~~**02. Approval Has Been Received.** Once an application with Tribal approval has been received, it will be reviewed and, if approved, it will be forwarded to the Office of Certification for a criminal history background check as required in Section 33-130, Idaho Code. The application must include a ten finger fingerprint card or scan and a forty dollar (\$40) fee for undergoing a criminal history check pursuant to Section 33-130, Idaho Code. (4-9-09)~~

~~**03. Office of Certification.** The Office of Certification will review the application and verify the~~

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~~applicant is eligible for an Idaho American Indian Certificate. The State Department of Education shall authorize an eligible applicant as an American Indian languages teacher. An Idaho American Indian Certificate is valid for not more than five (5) years. Individuals may apply for a renewal certificate. (4-9-09)~~

~~026. ADMINISTRATOR CERTIFICATE.~~

~~Every person who serves as a superintendent, a secondary school principal, or principal of an elementary school with eight (8) or more teachers (including the principal), or is assigned administrative duties over and above those commonly assigned to teachers, is required to hold an Administrator Certificate. The certificate may be endorsed for service as a school principal, a superintendent, or a director of special education and related services. Assistant superintendents are required to hold the Superintendent endorsement. Assistant principals or vice principals are required to hold the Principal endorsement. Applicants for the Director of Special Education and Related Services endorsement will hold that endorsement on an Administrator Certificate. Proof of proficiency in evaluating teacher performance shall be required of all Administrator Certificate holders. Proof of proficiency in evaluating performance shall be demonstrated by passing a proficiency assessment approved by the State Department of Education as an initial certification requirement. Possession of an Administrator Certificate does not entitle the holder to serve as a teacher at a grade level for which the educator is not qualified or certificated. All administrator certificates require candidates to meet the following competencies of the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership. (3-12-14)~~

~~**01. School Principal Endorsement (Pre-K-12).** To be eligible for an Administrator Certificate endorsed for School Principal Pre-K-12, a candidate must have satisfied the following requirements: (3-16-04)~~

~~**a.** Hold a master's degree from an accredited college or university. (3-16-04)~~

~~**b.** Have four (4) years of full-time certificated experience working with students, Pre-K-12, while under contract in an accredited school setting. (3-30-07)~~

~~**c.** Have completed an administrative internship in a state-approved program, or have one (1) year of experience as an administrator in grades Pre-K-12. (3-30-07)~~

~~**d.** Provide verification of completion of a state-approved program of at least thirty (30) semester credit hours, forty-five (45) quarter credit hours, of graduate study in school administration for the preparation of school principals at an accredited college or university. This program shall include the competencies of the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership. (3-12-14)~~

~~**e.** An institutional recommendation is required for a School Principal Pre-K-12 Endorsement. (3-16-04)~~

~~**02. Superintendent Endorsement.** To be eligible for an Administrator Certificate with a Superintendent endorsement, a candidate must have satisfied the following requirements: (3-16-04)~~

~~**a.** Hold an education specialist or doctorate degree or complete a comparable post-master's sixth year program at an accredited college or university. (3-16-04)~~

~~**b.** Have four (4) years of full-time certificated/licensed experience working with Pre-K-12 students while under contract in an accredited school setting. (3-30-07)~~

~~**c.** Have completed an administrative internship in a state-approved program for the superintendent endorsement or have one (1) year of out-of-state experience as an assistant superintendent or superintendent in grades Pre-K-12. (3-30-07)~~

~~**d.** Provide verification of completion of an approved program of at least thirty (30) semester credit hours, or forty-five (45) quarter credit hours, of post-master's degree graduate study for the preparation of school superintendents at an accredited college or university. This program in school administration and interdisciplinary~~

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~~supporting areas shall include the competencies in Superintendent Leadership, in addition to the competencies in the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership. (3-12-14)~~

~~c. An institutional recommendation is required for a School Superintendent Endorsement. (3-16-04)~~

~~**03. Director of Special Education and Related Services Endorsement (Pre-K-12).** To be eligible for an Administrator Certificate endorsed for Director of Special Education and Related Services Pre-K-12, a candidate must have satisfied all of the following requirements: (3-16-04)~~

~~a. Hold a master's degree from an accredited college or university. (3-16-04)~~

~~b. Have four (4) years of full-time certificated/licensed experience working with students Pre-K-12, while under contract in a school setting. (3-16-04)~~

~~c. Obtain college or university verification of demonstrated the competencies of the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership. (3-12-14)~~

~~d. Obtain college or university verification of demonstrated competencies in the following areas, in addition to the competencies in the Idaho Foundation Standards for School Administrators: Concepts of Least Restrictive Environment; Post School Outcomes and Services for Students with Disabilities Ages Three (3) to Twenty-one (21); Collaboration Skills for General Education Intervention; Instructional and Behavioral Strategies; Individual Education Programs (IEPs); Assistive and Adaptive Technology; Community-Based Instruction and Experiences; Data Analysis for Instructional Needs and Professional Training; Strategies to Increase Program Accessibility; Federal and State Laws and Regulations and School District Policies; Resource Advocacy; and Technology Skills for Referral Processes, and Record Keeping. (3-30-07)~~

~~e. Have completed an administrative internship/practicum in the area of administration of special education and related services. (3-16-04)~~

~~f. An institutional recommendation is required for Director of Special Education and Related Services Pre-K-12 Endorsement. (3-16-04)~~

~~**027. PUPIL PERSONNEL SERVICES CERTIFICATE**~~

~~Persons who serve as school counselors, school psychologists, speech-language pathologists, school social workers, school nurses and school audiologists are required to hold the Pupil Personnel Services Certificate, with the respective endorsement(s) for which they qualify. (3-16-04)~~

~~**01. Counselor Endorsement (K-12).** To be eligible for a Pupil Personnel Services Certificate endorsed Counselor K-12, a candidate must have satisfied the following requirements. The Pupil Personnel Services Certificate with a Counselor endorsement is valid for five (5) years. Six (6) semester credit hours are required every five (5) years in order to renew the endorsement. (5-8-09)~~

~~a. Hold a master's degree and provide verification of completion of an approved program of graduate study in school counseling from a college or university approved by the Idaho State Board of Education or the state educational agency of the state in which the program was completed. The program must include successful completion of seven hundred (700) clock hours of supervised field experience, seventy-five percent (75%) of which must be in a K-12 school setting. This K-12 experience must be in each of the following levels: elementary, middle/junior high, and high school. Previous school counseling experience may be considered to help offset the field experience clock hour requirement. (4-11-15)~~

~~b. An institutional recommendation is required for a Counselor K-12 Endorsement. (5-8-09)~~

~~**02. School Psychologist Endorsement.** This endorsement is valid for five (5) years. In order to renew~~

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~~the endorsement, six (6) professional development credits are required every five (5) years. The renewal credit requirement may be waived if the applicant holds a current valid National Certification for School Psychologists (NCSP) offered through the National Association of School Psychologists (NASP). To be eligible for initial endorsement, a candidate must complete a minimum of sixty (60) graduate semester credit hours which must be accomplished through one (1) of the following options: (3-29-12)~~

~~a. Completion of an approved thirty (30) semester credit hour, or forty five (45) quarter credit hours, master's degree in education or psychology and completion of an approved thirty (30) semester credit hour, or forty five (45) quarter credit hour, School Psychology Specialist Degree program, and completion of a minimum of twelve hundred (1,200) clock hour internship within a school district under the supervision of the training institution and direct supervision of a certificated school psychologist. (4-7-11)~~

~~b. Completion of an approved sixty (60) semester credit hour, or ninety (90) quarter credit hour, master's degree program in School Psychology, and completion of a minimum of twelve hundred (1,200) clock hour internship within a school district under the supervision of the training institution and direct supervision of a certificated school psychologist. (4-7-11)~~

~~c. Completion of an approved sixty (60) semester credit hour, or ninety (90) quarter credit hour, School Psychology Specialist degree program which did not require a master's degree as a prerequisite, with laboratory experience in a classroom, which may include professional teaching experience, student teaching or special education practicum, and completion of a minimum twelve hundred (1,200) clock hour internship within a school district under the supervision of the training institution and direct supervision of a certificated school psychologist. (5-8-09)~~

~~d. Earn a current and valid National Certification for School Psychologists (NCSP) issued by the National Association of School Psychologists (NASP). (3-29-12)~~

~~**03. School Nurse Endorsement.** This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement may be accomplished through completion of either requirements in Subsections 027.03.a. or 027.03.b. in addition to the requirement of Subsection 027.03.c. (3-29-10)~~

~~a. The candidate must possess a valid nursing (RN) license issued by the Idaho State Board of Nursing, and a bachelor's degree in nursing, education, or a health related field from an accredited institution. (5-8-09)~~

~~b. The candidate must possess a valid professional nursing (RN) license issued by the Idaho State Board of Nursing and have completed nine (9) semester credit hours from a university or college in at least three (3) of the following areas: (5-8-09)~~

~~i. Health program management; (5-8-09)~~

~~ii. Child and adolescent health issues; (5-8-09)~~

~~iii. Counseling, psychology, or social work; or (5-8-09)~~

~~iv. Methods of instruction. (5-8-09)~~

~~c. Additionally, each candidate must have two (2) years' full time (or part time equivalent) school nursing, community health nursing, or any area of pediatric, adolescent, or family nursing experience. (5-8-09)~~

~~**04. Interim Endorsement School Nurse.** This certificate will be granted for those who do not meet the educational and/or experience requirements but who hold a valid professional nursing (RN) license in Idaho. An Interim Certificate will be issued for three (3) years while the applicant is meeting the educational requirements, and it is not renewable. (3-29-10)~~

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~~05. **Speech Language Pathologist Endorsement.** This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement will be issued to candidates who possess a master's degree from an accredited college or university in a speech/language pathology program approved by the State Board of Education, and who receive an institutional recommendation from an accredited college or university. (3-16-04)~~

~~06. **Audiology Endorsement.** This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement will be issued to candidates who possess a master's degree from an accredited college or university in an audiology program approved by the State Board of Education, and who receive an institutional recommendation from an accredited college or university. (3-16-04)~~

~~07. **School Social Worker Endorsement.** This endorsement is valid for five (5) years. Six (6) credit hours are required every five (5) years in order to renew the endorsement. Initial endorsement may be accomplished through possession of a social work certificate issued by the Idaho Bureau of Occupational Licenses, an institutional recommendation, and completion of one (1) of the following options: (3-16-04)~~

~~a. A master's degree in social work from an Idaho college or university approved by the State Board of Education, or a master's degree in social work from an out of state college or university. The program must be currently approved by the state educational agency of the state in which the program was completed. (3-16-04)~~

~~b. A master's degree in guidance and counseling, sociology, or psychology plus thirty (30) semester credit hours of graduate work in social work education, including course work in all the following areas: understanding the individual; casework method; field placement; social welfare programs and community resources; and research methods. (3-16-04)~~

~~08. **Interim Endorsement Speech Language Pathologist.** This certificate will be granted for those who do not meet the educational requirements but who hold a bachelor's degree in Speech language pathology and are pursuing a master's degree in order to obtain the pupil personnel services certificate endorsed in speech language pathology. An Interim Certificate will be issued for three (3) years while the applicant is meeting the educational requirements, and it is not renewable. (3-29-10)~~

~~**028. EXCEPTIONAL CHILD CERTIFICATE.**~~

~~Holders of this certificate work with children who have been identified as having an educational impairment.~~

~~(3-16-04)~~

~~01. **General Education Requirements.** Completion of the general education requirements at an accredited college or university is required. (3-30-07)~~

~~02. **Generalist Endorsement (K-12).** The Generalist K-12 endorsement is non-categorical and allows one (1) to teach in any K-12 special education setting. This endorsement is valid for five (5) years. Six (6) credit hours are required every five (5) years for renewal. Regardless of prior special education experience, all initial applicants must provide an institutional recommendation that an approved special education program has been completed, with field work to include an internship and student teaching in a special education setting. To be eligible for an Exceptional Child Certificate with a Generalist K-12 endorsement, a candidate must have satisfied the following requirements: (4-4-13)~~

~~a. Completion of a baccalaureate degree from an accredited college or university. (3-16-04)~~

~~b. Completion, in an Idaho college or university, of a program in elementary, secondary, or special education currently approved by the Idaho State Board of Education, or completion, in an out of state college or university, of a program in elementary, secondary, or special education currently approved by the state educational agency of the state in which the program was completed. (3-16-04)~~

~~c. Completion of thirty (30) semester credit hours in special education, or closely related areas, as part of an approved special education program. (3-16-04)~~

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~~d. Each candidate must have a qualifying score on an approved core content assessment and a second assessment related to the specific endorsement requested. (3-16-04)~~

~~**03. Early Childhood Special Education Endorsement (Pre K-3).** The Early Childhood Special Education (Pre K-3) endorsement is non-categorical and allows one to teach in any Pre K-3 special education setting. This endorsement may only be added to the Standard Exceptional Child Certificate in conjunction with the Generalist K-12 endorsement and is valid for five (5) years. Six (6) credit hours are required every five (5) years for renewal. To be eligible for an Exceptional Child Certificate with an Early Childhood Special Education (Pre K-3) endorsement, a candidate must have satisfied the following requirements: (4-7-11)~~

~~a. Completion of a program of a minimum of twenty (20) semester credit hours in the area of Early Childhood Education to include course work in each of the following areas: Child development and behavior with emphasis in cognitive language, physical, social and emotional areas, birth through age eight (8); Curriculum and program development for young children ages three to eight (3-8); Methodology: planning, implementing and evaluating environments and materials for young children ages three to eight (3-8); Guiding young children's behavior: observing, assessing and individualizing ages three to eight (3-8); Identifying and working with atypical young children ages three to eight (3-8) Parent teacher relations; and, Field work to include an internship and student teaching at the Pre-K-3 grades. (4-7-11)~~

~~**04. Deaf/Hard of Hearing Endorsement (K-12).** Completion of a minimum of thirty three (33) semester credit hours in the area of deaf/hard of hearing with an emphasis on instruction for students who use sign language or completion of a minimum thirty three (33) semester credit hours in the area of deaf/hard of hearing with an emphasis on instruction for students who use listening and spoken language. An institutional recommendation specific to this endorsement is required. To be eligible for an Exceptional Child Certificate with a Deaf/Hard of Hearing endorsement, a candidate must have satisfied the following requirements: (4-11-15)~~

~~a. Completion of a baccalaureate degree from an accredited college or university; (4-11-06)~~

~~b. Completion of a program from an Idaho college or university in elementary, secondary, or special education currently approved by the Idaho State Board of Education; or (4-11-06)~~

~~c. Completion of a program from an out of state college or university in elementary, secondary, or special education currently approved by the state educational agency of the state in which the program was completed; (4-11-06)~~

~~d. Completion of a program of a minimum of thirty three (33) semester credit hours in the area of Deaf/Hard of Hearing. Must receive an institutional recommendation specific to this endorsement from an accredited college or university. (4-11-15)~~

~~**05. Visual Impairment Endorsement (K-12).** Completion of a program of a minimum of thirty (30) semester credit hours in the area of visual impairment. An institutional recommendation specific to this endorsement is required. To be eligible for an Exceptional Child Certificate with a Visually Impaired endorsement, a candidate must have satisfied the following requirements: (4-11-06)~~

~~a. Completion of a baccalaureate degree from an accredited college or university; (4-11-06)~~

~~b. Completion in an Idaho college or university of a program in elementary, secondary, or special education currently approved by the Idaho State Board of Education, or completion in an out of state college or university of a program in elementary, secondary, or special education currently approved by the state educational agency of the state in which the program was completed. (4-11-15)~~

~~c. Completion of a program of a minimum of thirty (30) semester credit hours in the area of Visual Impairment. Must receive an institutional recommendation specific to this endorsement from an accredited college or university. (4-11-06)~~

~~d. Each candidate must have a qualifying score on an approved core content assessment and a second~~

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~~assessment related to the specific endorsement requested. (4-11-15)~~

~~**029. CONSULTING TEACHER/TEACHER LEADER ENDORSEMENT.**~~

~~Consulting teachers provide technical assistance to teachers and other staff in the school district with regard to the selection and implementation of appropriate teaching materials, instructional strategies, and procedures to improve the educational outcomes for students. Candidates who hold this endorsement are teacher leaders who will facilitate the design and implementation of sustained, intensive, and job embedded professional learning based on identified student and teacher needs. This endorsement is valid for five (5) years and is renewable based upon successful completion and verification of an additional four (4) semester credits beyond those required for standard certification renewal. The additional credits shall be taken for university or college credit consistent with the Individual Professional Learning Plan (IPLP). (4-4-13)~~

~~**01. Special Education Consulting Teacher Eligibility for Endorsement.** To be eligible for a Special Education Consulting Teacher endorsement on the Standard Exceptional Child Certificate, the Early Childhood/Early Childhood Special Education Blended Certificate (Birth-Grade 3), the Standard Elementary Certificate or the Standard Secondary Teaching Certificate, a candidate must have satisfied the following requirements: (3-29-10)~~

~~**a. Education Requirements.** Qualify for or hold a Standard Exceptional Child Certificate and qualify for or hold a Standard Elementary Certificate, Standard Secondary Certificate, or Early Childhood/Early Childhood Special Education Blended Certificate (Birth-Grade 3), and hold a master's degree or an approved fifth year program as defined by the Idaho State Board of Education, and have demonstrated content competencies in the following areas: (4-4-13)~~

~~i. Assessment of learning behaviors; (4-4-13)~~

~~ii. Individualization of instructional programs based on educational diagnosis; (4-4-13)~~

~~iii. Behavioral and/or classroom management techniques; (4-4-13)~~

~~iv. Program implementation and supervision; (4-4-13)~~

~~v. Knowledge in use of current methods, materials and resources available and management and operation of media centers; (4-4-13)~~

~~vi. Ability in identifying and utilizing community or agency resources and support services; and (4-4-13)~~

~~vii. Counseling skills and guidance of professional staff. (4-4-13)~~

~~**b. Experience.** Completion of a minimum of three (3) years' teaching experience, at least two (2) years of which must be in a special education classroom setting. (3-16-04)~~

~~**c.** Provides verification of completion of a state-approved program of at least twenty (20) semester credit hours of study at an accredited college or university or a state-approved equivalent. Program shall include: (4-4-13)~~

~~i. Ninety (90) contact hours to include a combination of face-to-face and field-based professional development activities; and (4-4-13)~~

~~ii. The development and presentation of a culminating portfolio that provides evidence that knowledge gained and skills acquired are aligned with Idaho Teacher Leader Standards as follows: (4-4-13)~~

~~(1) Understanding Adults As Learners to Support Professional Learning Communities; (4-4-13)~~

~~(2) Accessing and Using Research to Improve Practice and Student Achievement; (4-4-13)~~

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- ~~———— (3) ——— Promoting Professional Learning for Continuous Improvement; ————— (4 4 13)~~
- ~~———— (4) ——— Facilitating Improvements in Instruction and Student Learning; ————— (4 4 13)~~
- ~~———— (5) ——— Using Assessments and Data for School and District Improvement; ————— (4 4 13)~~
- ~~———— (6) ——— Improving Outreach and Collaboration with Families and Community; and ————— (4 4 13)~~
- ~~———— (7) ——— Advocating for Student Learning and the Profession. ————— (4 4 13)~~
- ~~———— d. ——— Not less than one (1) semester of successful experience as a special education teacher working with classroom teachers in elementary or secondary schools. ————— (4 4 13)~~
- ~~———— **02. Mathematics Consulting Teacher – Eligibility for Endorsement.** To be eligible for a Mathematics Consulting Teacher endorsement on the Standard Elementary Certificate, Standard Secondary Certificate, Standard Exceptional Child Certificate, or Early Childhood/Early Childhood Special Education Blended Certificate (Birth Grade 3), a candidate must have satisfied the following requirements: ————— (3 29 10)~~
- ~~———— a. ——— Education Requirements. Qualify for or hold a Standard Elementary Certificate, Standard Secondary Certificate, Standard Exceptional Child Certificate, or Early Childhood/Early Childhood Special Education Blended Certificate (Birth Grade 3) and have demonstrated content competencies. Coursework and content domains required include the full series of Mathematics Thinking for Instruction (MTI), Number and Operation, Geometry, Algebraic Reasoning, Measurement and Data Analysis, and Statistics and Probability which are centered on the following emphases: ————— (4 4 13)~~
- ~~———— i. ——— Structural Components of Mathematics; ————— (4 4 13)~~
- ~~———— ii. ——— Modeling, Justification, Proof and Generalization; ————— (4 4 13)~~
- ~~———— iii. ——— Mathematical Knowledge for Teaching (Ball, Thames, & Phelps, 2008). ————— (4 4 13)~~
- ~~———— b. ——— Experience. Completion of a minimum of three (3) years' teaching experience. ————— (3 29 10)~~
- ~~———— c. ——— Provides verification of completion of a state-approved program of at least twenty (20) semester credit hours of study at an accredited college or university or a state-approved equivalent. Program shall include: ————— (4 4 13)~~
- ~~———— i. ——— Ninety (90) contact hours to include a combination of face-to-face and field-based professional development activities; and ————— (4 4 13)~~
- ~~———— ii. ——— The development and presentation of a culminating portfolio that provides evidence that knowledge gained and skills acquired are aligned with Idaho Teacher Leader Standards as follows: ————— (4 4 13)~~
- ~~———— (1) ——— Understanding Adults As Learners to Support Professional Learning Communities; ————— (4 4 13)~~
- ~~———— (2) ——— Accessing and Using Research to Improve Practice and Student Achievement; ————— (4 4 13)~~
- ~~———— (3) ——— Promoting Professional Learning for Continuous Improvement; ————— (4 4 13)~~
- ~~———— (4) ——— Facilitating Improvements in Instruction and Student Learning; ————— (4 4 13)~~
- ~~———— (5) ——— Using Assessments and Data for School and District Improvement; ————— (4 4 13)~~
- ~~———— (6) ——— Improving Outreach and Collaboration with Families and Community; and ————— (4 4 13)~~

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~~(7) Advocating for Student Learning and the Profession. (4 4 13)~~

~~d. Not less than one (1) semester of successful experience as a mathematics teacher working with classroom teachers in elementary or secondary schools. (4 4 13)~~

030. (RESERVED)

~~031. JUNIOR RESERVED OFFICER TRAINING CORPS (JUNIOR ROTC) INSTRUCTORS.~~

~~01. List of Names. Each school district with a Junior ROTC program shall provide the State Department of Education with a list of the names of those individuals who have completed an official armed forces training program to qualify as Junior ROTC instructors in high schools. (4 11 06)~~

~~02. Notarized Copy. Each school district with a Junior ROTC program shall provide the State Department of Education with a notarized copy of their certificate(s) of completion. (4 11 06)~~

~~03. Authorization Letter. Upon receiving the items identified in Subsections 031.01 and 031.02, the State Department of Education shall issue a letter authorizing these individuals as Junior ROTC instructors. (4 11 06)~~

~~032. POSTSECONDARY SPECIALIST.~~

~~A Postsecondary Specialist certificate will be granted to a current faculty member whose primary employment is with any accredited Idaho postsecondary institution. To be eligible to teach in the public schools under this postsecondary specialist certificate, the candidate must supply a recommendation from the employing institution (faculty's college dean). The primary use of this state issued certificate will be for distance education, virtual classroom programs, and for public and postsecondary partnerships. (3 26 08)~~

~~01. Renewal. This certificate is good for five (5) years and is renewable. To renew the certificate, the renewal application must be accompanied with a new written recommendation from the postsecondary institution (faculty's college dean level or higher). (3 26 08)~~

~~02. Fees. The fee is the same as currently in effect for an initial or renewal certificate as established in Section 066 of these rules. (3 26 08)~~

~~03. Qualifications. The candidate must: (3 26 08)~~

~~a. Hold a masters degree or higher in the content area being taught; (3 26 08)~~

~~b. Be currently employed by the post secondary institution in the content area to be taught; and (3 26 08)~~

~~c. Complete and pass a criminal history check as required according to Section 33-130, Idaho Code. (3 26 08)~~

~~033. ONLINE TEACHER ENDORSEMENT (PRE K 12).~~

~~01. Online Teacher Endorsement. To be eligible for an Online Teacher Endorsement (Pre K-12), a candidate must have satisfied the following requirements: (4 7 11)~~

~~a. Meets states' professional teaching and/or licensure standards and is qualified to teach in his/her field of study. (4 7 11)~~

~~b. Provides evidence of online experience or course time both as a student and as a learner, and demonstrates online learning and teaching proficiency. (4 7 11)~~

~~c. Has completed (completes) an eight (8) week online teaching internship in a Pre K-12 program, or~~

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~~have one (1) year of verifiable and successful experience as a teacher delivering curriculum online in grades Pre-K-12 within the past three (3) years. (4-7-11)~~

~~d. Provides verification of completion of a state approved program of at least twenty (20) semester credit hours of study in online teaching and learning at an accredited college or university or a state approved equivalent. (4-7-11)~~

~~**02. Proficiency in Idaho Standards for Online Teachers.** Demonstrates proficiency in the Idaho Standards for Online Teachers including the following competencies: (4-7-11)~~

~~a. Knowledge of Online Education and Human Development; (4-7-11)~~

~~b. Facilitate and Inspire Student Learning and Creativity; (4-7-11)~~

~~c. Design and Develop Digital Age Learning Experiences and Assessments Standards; (4-7-11)~~

~~d. Model Digital Age Work and Learning; Promote and Model Digital Citizenship and Responsibility Standards; and (4-7-11)~~

~~e. Engage in Professional Growth and Leadership. (4-7-11)~~

~~**034. CERTIFICATION STANDARDS FOR PROFESSIONAL TECHNICAL EDUCATORS.**~~

~~Teachers of professional technical classes or programs in secondary or postsecondary schools must hold an endorsement in an appropriate occupational discipline. This endorsement may be held on a Secondary Teaching Certificate or on an Occupational Specialist Certificate. For postsecondary instructors and administrators, certification fees are set by the State Board for Professional Technical Education, and application processes are managed by the Division of Professional Technical Education. (3-16-04)~~

~~**035. DEGREE BASED PROFESSIONAL TECHNICAL CERTIFICATION**~~

~~7~~

~~**01. Teacher Preparation Through Degreed Program.** Individuals graduating from an approved occupational teacher preparation degree program qualify to teach in the following five (5) disciplines: Agricultural Science & Technology; Business Technology Education; Family & Consumer Science; Marketing Technology Education; and Technology Education. Occupational teacher preparation course work must meet the Idaho Standards for the Initial Certification of Professional School Personnel. The occupational teacher education program must provide appropriate content to constitute a major in the identified field. Student teaching shall be in an approved program and include experiences in the major field. Applicants shall have accumulated four thousand (4,000) clock hours of related work experience or shall have completed an approved practicum in their respective field of specialization. (3-16-04)~~

~~**02. Professional Technical Administrator Certificate.** The Professional Technical Administrator certificate is required for an individual serving as an administrator, director, manager or coordinator of professional technical education at the state, secondary or postsecondary level. Individuals must meet the following prerequisites to qualify for the Professional Technical Administrator Certificate. Equivalence in each area will be determined on an individual basis by the State Division of Professional Technical Education. (3-16-04)~~

~~a. Qualify for or hold an Occupational Specialist certificate or hold an occupational endorsement on the secondary teaching credential; (3-16-04)~~

~~b. Provide evidence of a minimum of three (3) years' teaching in an occupational discipline; (3-16-04)~~

~~c. Hold a masters degree; and, (3-16-04)~~

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~~d. Completed at least fifteen (15) semester credits of administrative course work. Applicants must have completed: financial aspects of professional technical education; administration of personnel; and legal aspects of professional technical education. Additional course work can be selected from any of the following areas: administration and supervision of occupational programs; instructional supervision; administration internship; curriculum development; curriculum evaluation; research in curriculum; school community relations; communication; teaching the adult learner; coordination of work-based learning programs; and/or measurement and evaluation. (3-16-04)~~

~~e. To renew the Professional Technical Administrator Certificate, individuals are required to complete six (6) semester hours of related course work or meet renewal requirements for professional technical teachers. (3-16-04)~~

~~03. **Work Based Learning Coordinator Endorsement.** Educators assigned to coordinate approved work-based experiences must hold the Work Based Learning Coordinator endorsement. To be eligible, applicants must hold an occupational endorsement on the Standard Secondary Certificate or qualify for an Occupational Specialist Certificate, plus complete course work in coordination of work-based learning programs. (3-16-04)~~

~~04. **Career Counselor Endorsement.** The endorsement for a Career Counselor may be issued to applicants who hold a current Pupil Personnel Services Certificate endorsed Counselor K-12 and who have satisfied the following professional technical requirement: Career Pathways and Professional Technical Guidance; Principles/Foundations of Professional Technical Education; and Theories of Occupational Choice. (3-16-04)~~

~~**036. INDUSTRY BASED PROFESSIONAL TECHNICAL CERTIFICATION.**~~

~~Persons who need to hold the Occupational Specialist Certificate include: secondary educators assigned to Health Occupations Education and to Trades & Industry Education; specialized occupational areas where specific degree-granting professional technical teacher education programs do not exist; and postsecondary professional technical educators who teach courses to 9-12 students. (3-16-04)~~

~~01. **General Requirements.** Applicants must: be eighteen (18) years of age; document full-time, successful, recent, gainful employment in the area for which certification is requested; possess either a high school diploma or General Educational Development (GED) certificate; meet provisions of Idaho Code; and, verify technical skills through work experience, certification or testing as listed below. When applicable, requirements of occupationally related state agencies must also be met. Since educational levels and work experiences vary, applicants may be determined highly qualified under any one (1) of the following three (3) options: (3-16-04)~~

~~a. Have sixteen thousand (16,000) hours of full-time, successful, recent, gainful employment in the occupation for which certification is requested. Up to forty-eight (48) months credit can be counted toward the eight (8) years on a month-to-month basis for journeyman training and/or postsecondary training successfully completed as a full-time student in an approved/approvable, postsecondary, professional technical education program. (3-16-04)~~

~~b. Have a bachelor's degree in the specific occupation or related area, plus six thousand (6,000) hours of full-time, successful, recent, gainful employment in the occupation. (3-16-04)~~

~~c. Meet one (1) of the following: (3-16-04)~~

~~i. Have at least journeyman level plus two (2) years of recent, full-time, gainful, related work experience. A person who has completed a formal apprenticeship program in the occupation or related area for which certification is requested. The apprenticeship must be under the direction of an employer and the Bureau of Apprenticeship and Training or an approved State Apprenticeship Agency; (3-16-04)~~

~~ii. Pass approved state or national certification/certification examination plus three (3) years of recent, full-time, gainful, related work experience (length and type of work experience in emergency services and health professions will be determined on an individual basis); or (3-16-04)~~

~~iii. Pass approved industry related certification for skill level requirements (vendor and industry specific) plus three (3) years of recent, full-time, gainful, related work experience (length and type of work experience~~

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~~in emergency services and health professions will be determined on an individual basis). If no competency test exists, a written recommendation from a representative occupational advisory council/committee and recorded in its minutes is required to verify occupational competence. (3-16-04)~~

~~**02. Limited Occupational Specialist Certificate.** This certificate is issued to individuals who are new to teaching trades and health occupations in public schools. The certificate is valid for three (3) years. (3-16-04)~~

~~**a.** Within the first eighteen (18) months, the holder must complete the pre-service workshop sponsored by the State Division of Professional Technical Education and an approved course in professional technical methods and student assessment. (3-16-04)~~

~~**b.** Complete a new teacher induction workshop at the state or district level. (3-16-04)~~

~~**c.** File a Professional Development Plan with the State Division of Professional Technical Education. (3-16-04)~~

~~**d.** Within the three (3) year period of the Limited Occupational Specialist Certificate, the instructor must satisfactorily complete course work which includes competencies in four (4) of the following: Principles/Foundations of Occupational Education; Career Pathways and Guidance; Analysis, Integration, and Curriculum Development; Measurement and Evaluation; and Methods of Teaching Occupational Education. (3-16-04)~~

~~**03. Standard Occupational Specialist Certificate.** This certificate is issued to individuals who have completed course work equivalent to that required of the Limited Occupational Specialist Certificate. The certificate must be renewed every five (5) years, which shall include completion of six (6) semester credit hours of approved course work or verification of two hundred forty (240) hours of approved related work experience or ninety (90) hours of attendance at approved technical conferences, institutes, or workshops or any equivalent combination thereof, and file of a Professional Development Plan for the next certification period. (3-16-04)~~

~~**04. Advanced Occupational Specialist Certificate.** This certificate is issued to individuals who meet all the requirements outlined below: (3-16-04)~~

~~**a.** Meet the requirements for the Standard Occupational Specialist Certificate; (3-16-04)~~

~~**b.** Provide evidence of completion of a teacher training degree program or eighteen (18) semester credits of approved course work in addition to the twelve (12) semester credits required for the Standard Occupational Specialist Certificate (a total of thirty (30) semester credits); and (3-16-04)~~

~~**c.** File a new Professional Development Plan for the next certification period. (3-16-04)~~

~~**d.** This certificate must be renewed every five (5) years, which shall include completion of six (6) semester credit hours of approved course work or submit verification of two hundred forty (240) hours of approved related work experience or ninety (90) hours of attendance at approved technical conferences, institutes and workshops or any equivalent combination thereof, and file a new Professional Development Plan for the next certification period. (3-16-04)~~

037. -- 041. (RESERVED)

042. ALTERNATE ROUTES TO CERTIFICATION.

The purpose of this program is to provide an alternative for individuals to become certificated teachers in Idaho without following a standard teacher education program. Alternative Routes to Certification shall allow individuals to serve as the teacher of record prior to having earned full certification status. The teacher of record is defined as the person who is primarily responsible for planning instruction, delivering instruction, assessing students formatively and summatively, and designating the final grade. Individuals who are currently employed as Para-Educators, individuals who are currently certificated to teach but who are in need of emergency certification in another area, and individuals with strong subject matter background but limited experience with educational methodology shall follow

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the alternate certification requirements provided herein.

(4-4-13)

043.01. Alternative Authorization -- Teacher To New Certification.

The purpose of this alternative authorization is to allow Idaho school districts to request endorsement/certification when a professional position cannot be filled with someone who has the correct endorsement/certification. Alternative authorization in this area is valid for up to three (3) years and is nonrenewable one year and may be renewed for not more than three (3) years.

(5-8-09)

01a. Initial Qualifications. Prior to application, a candidate must hold a Bachelor's degree, and a valid Idaho teacher certificate without full endorsement in content area of need. The school district must provide supportive information attesting to the ability of the candidate to fill the position.

(5-8-09)

02b. A candidate must participate in an approved Alternative route Preparation program.

(3-20-04)

a. Option I Teacher to New Certification/Endorsement.

(5-8-09)

i. The candidate will work toward completion of the alternative route preparation program through a participating college/university, and the employing school district. The candidate must complete a minimum of nine (9) semester credits annually to be eligible for extension of up to a total of three (3) years maintain eligibility.

(3-20-04)

ii. The participating college/university shall provide procedures to assess and credit equivalent knowledge, dispositions, and relevant life/work experiences.

(3-20-04)

~~iii. Candidate shall meet all requirements for the endorsement/certificate as provided herein. (3-20-04)~~

~~b. Option II National Board (endorsement only). By earning National Board certification in content specific areas teachers may gain endorsement in a corresponding subject area. (5-8-09)~~

~~c. Option III Master's degree or higher (endorsement only). By earning a graduate degree in a content specific area, candidates may add an endorsement in that same content area to a valid certificate. (5-8-09)~~

~~d. Option IV Testing and/or Assessment (endorsement only). Two (2) pathways are available to some teachers, depending upon endorsement(s) already held. (5-8-09)~~

~~i. Pathway 1 Endorsements may be added through state approved testing and a mentoring component. The appropriate test must be successfully completed within the first year of authorization in an area closely compatible with an endorsement for which the candidate already qualifies and is experienced. Additionally requires the successful completion of a one (1) year state approved mentoring component. (5-8-09)~~

~~ii. Pathway 2 Endorsements may be added through state approved testing in an area less closely compatible with an endorsement for which the candidate already qualifies and is experienced. The appropriate test must be successfully completed within the first year of the authorization. Additionally requires the successful completion of a one (1) year state approved mentoring component and passing a final pedagogy assessment. (5-8-09)~~

044. ALTERNATIVE AUTHORIZATION -- CONTENT SPECIALIST.

The purpose of this alternative authorization is to offer an expedited route to certification for individuals who are highly and uniquely qualified in a subject area to teach in a district with an identified need for teachers in that area. Alternative authorization in this area is valid for three (3) years and is not renewable one (1) year and may be renewed for not more than three (3) years.

(3-20-04)

01. Initial Qualifications.

(3-20-04)

a. Prior to application, a candidate must hold a Bachelor's degree or have completed all of the

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requirements of a Bachelor's degree except the student teaching or practicum portion. (4-4-13)

b. ~~The candidate shall meet enrollment qualifications of the alternative route preparation program. The hiring district shall ensure the candidate is highly and uniquely qualified to teach in the area of identified need through demonstrated content knowledge. This may be accomplished through a combination of employment experience and education.~~

(3-20-04)

02. Alternative Route Preparation Program -- College/University Preparation or Other State Board Approved Certification Program.

(3-20-04)

a. ~~During the first year of authorization~~ A consortium comprised of a designee from the college/university to be attended or other state board approved certification program, and a representative from the school district, and the candidate shall determine preparation needed to meet the Idaho Standards for Initial Certification of Professional School Personnel. This preparation must include mentoring and a minimum of one (1) classroom observation per month ~~until certified~~ while teaching under the alternative authorization.

(3-20-04)

b. ~~Prior to entering the classroom, the candidate~~ must complete eight (8) to sixteen (16) weeks of accelerated study in education pedagogy prior to the end of the first year of authorization.

(3-20-04)

c. Candidate will work toward completion of the alternative route preparation program through a participating college/university or other state board approved certification program, and the employing school district. A teacher must attend, participate in, and successfully complete an individualized alternative route preparation program as one (1) of the conditions to receive a recommendation for full certification.

(3-20-04)

d. The participating college/university or other state board approved certification program shall provide procedures to assess and credit equivalent knowledge, dispositions and relevant life/work experiences. (3-20-04)

e. Prior to entering the classroom, the candidate shall meet or exceed the state qualifying score on appropriate state-approved content, pedagogy, or performance assessment.

(3-20-04)

045. NON-TRADITIONAL ROUTE TO TEACHER CERTIFICATION.

An individual may acquire interim certification as found in Section ~~015-016~~ of these rules through an approved non-traditional route certification program.

(3-20-14)

01. Approval of the Program. The State Board of Education must approve any non-traditional route to teacher certification. The program must include, at a minimum, the following components:

(3-20-14)

a. Preassessment of teaching and content knowledge; (4-6-05)

b. An academic advisor with knowledge of the prescribed instruction area; and (4-6-05)

c. Exams of pedagogy and content knowledge. (4-6-05)

02. Eligibility. Individuals who possess a bachelor's degree or higher from an accredited institution of higher education may utilize this non-traditional route to an interim Idaho Teacher Certification.

(3-20-14)

03. Requirements for Completion. To complete this non-traditional route, the individual must:

(3-20-14)

a. Complete a Board approved program; (4-6-05)

b. Pass the Board approved pedagogy and content knowledge exams; and (4-6-05)

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- c. Complete the Idaho Department of Education Criminal History Check. (4-6-05)

04. Interim Certificate. Upon completion of the certification process described herein, the individual will be awarded an interim certificate from the State Department of Education's Bureau of Certification and Professional Standards. ~~The term of the interim certification shall be three (3) years.~~ During the term of the interim certificate, teaching by the individual must be done in conjunction with a two (2) year ~~a~~-teacher mentoring program approved by the Board. The individual must complete the mentoring program during the term of the interim certificate. In the case where teachers start their mentoring program in the third year of their interim certificate, they must apply to the State Department of Education Teacher Certification Department for a waiver to complete the final year of their mentoring program for full certification. All laws and rules governing the fully certificated teachers with respect to conduct, discipline and professional standards shall apply to individuals teaching under any Idaho certificate include an interim certificate. (3-20-14)

05. Interim Certificate Not Renewable. Interim certification hereunder is only available on a one (1) time basis per individual. It will be the responsibility of the individual to obtain a full Idaho ~~Teacher Certification~~Educator Credential during the three (3) year interim certification term. (4-6-05)

06. Types of Certificates and Endorsements. The non-traditional route may be used for first-time certification, subsequent certificates, and additional endorsements. (3-20-14)

046. (RESERVED)

047. ALTERNATIVE AUTHORIZATION - PUPIL PERSONNEL SERVICES.

The purpose of this alternative authorization is to allow Idaho school districts to request endorsement/certification when a position requiring the Pupil Personnel Services certificate cannot be filled with someone who has the correct endorsement/certification. The exception to this rule is the Interim School Nurse endorsement and the Interim Speech Language Pathologist endorsement. The requirements for these endorsements are already defined in Subsections ~~027.15.04 and 027.08 respectively~~, of these rules. (4-11-15)

01. Term of Validity. Alternative authorization in this area is valid for three (3) years and will be reviewed annually and is nonrenewable. (4-2-08)

02. Initial Qualifications. The applicant must complete the following: (4-2-08)

a. Prior to application, a candidate must hold a Masters degree and hold a current Idaho license from the Bureau of Occupational Licenses in the area of desired certification; and (4-2-08)

b. The employing school district must provide supportive information attesting to the ability of the candidate to fill the position. (4-2-08)

03. Alternative Route Preparation Program. (4-2-08)

a. The candidate must work toward completion of the alternative route preparation program through a participating college/university and the employing school district. (4-2-08)

b. The candidate must complete a minimum of nine (9) semester credits annually to be eligible for extension of up to a total of three (3) years. (4-2-08)

c. The participating college/university or the State Department of Education will provide procedures to assess and credit equivalent knowledge, dispositions, and relevant life/work experiences. (4-2-08)

d. The candidate must meet all requirements for the endorsement/certificate as provided herein. (4-2-08)

048. -- 059. (RESERVED)

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060. APPLICATION PROCEDURES / PROFESSIONAL DEVELOPMENT.

01. Application for Idaho Certificate. To obtain, renew, or reinstate an Idaho certificate, the applicant will submit an application on a form supplied by the State Department of Education or the State Division of Professional-Technical Education. (3-16-04)

02. State Board of Education Requirements for Professional Growth. (4-1-97)

a. Credits taken for recertification must be educationally related to the professional development of the applicant. (4-1-97)

i. Credits must be specifically tied to content areas and/or an area of any other endorsement; or (5-8-09)

ii. Credits must be specific to pedagogical best practices or for administrative/teacher leadership; or (4-2-08)

iii. Credits must be tied to a specific area of need designated by district administration. (4-2-08)

b. Graduate or undergraduate credit will be accepted for recertification. Credit must be college transferable and completed through an accredited college or university. (4-1-97)

c. All requests for equivalent inservice training to apply toward recertification must be made through the State Department of Education upon recommendation of the board of trustees consistent with the State Department of Education guidelines. Individuals holding Professional-Technical Specialist Certificates must receive State Division of Professional-Technical Education approval of inservice training and course work prior to applying for renewal. (3-16-04)

d. At least fifteen (15) hours of formal instruction must be given for each hour of inservice credit granted. (4-1-97)

e. Recertification credits may not be carried over from one (1) recertification period to the next. (4-1-97)

f. Certificated personnel teaching in subjects outside their major area of preparation will be encouraged to complete the courses required for major certification endorsement. (4-1-97)

g. All credits gained through coursework taken during the validity period of the certificate and commencing prior to September 1, 2008 shall be accepted toward recertification. (5-8-09)

h. An appeals process, developed by the State Department of Education in conjunction with the Professional Standards Commission, shall be available to applicants whose credits submitted for recertification, in part or as a whole, are rejected for any reason if such denial prevents an applicant from renewing an Idaho certificate. An applicant whose credits submitted for recertification are rejected, in part or as a whole, within six (6) months of the expiration of the applicant's current certification shall be granted an automatic appeal and a temporary certification extension during the appeal or for one (1) year, whichever is greater. (5-8-09)

03. State Board of Education Professional Development Requirements. (4-1-97)

a. Districts will have professional development plans. (4-1-97)

b. All certificated personnel will be required to complete at least six (6) semester hours or the equivalent within the five (5) year period of validity of the certificate being renewed. (4-1-97)

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c. At least three (3) semester credits will be taken for university or college credit. Verification will be by official transcript. (4-1-97)

061. -- 065. (RESERVED)

066. FEES.

The state department of education shall maintain a record of all certificates issued, showing names, dates of issue and renewal, and if revoked, the date thereof and the reason therefor. A nonrefundable fee shall accompany each application for a prekindergarten through grade twelve (12) certificate, alternate certificate, change in certificate or replacement as follows: (3-16-04)

01. Initial Certificate. All types, issued for five (5) years -- seventy-five dollars (\$75) (3-16-04)

02. Renewal Certificate. All types, issued for five (5) years -- seventy-five dollars (\$75). (3-16-04)

03. Alternate Route Authorization. All types, issued for one (1) year -- one hundred dollars (\$100) (3-16-04)

04. Additions or Changes During the Life of an Existing Certificate. Twenty-five dollars (\$25) (3-16-04)

05. To Replace an Existing Certificate. Ten dollars (\$10). (3-16-04)

067. -- 074. (RESERVED)

075. FINGERPRINTING AND CRIMINAL HISTORY CHECKS (SECTIONS 33-130 AND 33-512, IDAHO CODE).

All certificated and noncertificated employees and other individuals who are required by the provisions of Section 33-130, Idaho Code, must undergo a criminal history check. (4-9-09)

01. Definitions. (4-9-09)

a. Applicant. An individual applying for Idaho Certification or a certificated or non-certificated individual applying for employment. (4-9-09)

b. Break-in-Service. A voluntary or involuntary termination in employment, including retirement. (4-9-09)

c. Candidate. An individual attending a postsecondary program. (4-9-09)

d. Certificated Employee. An individual who holds an Idaho education certificate and is employed in a certificated position in a LEA. (4-9-09)

e. Contractor. An agency, company/business, or individual that has signed a contract or agreement to provide services to an LEA and private or parochial school. (4-9-09)

f. Conviction. The final judgment on a verdict or finding of guilty, a plea of guilty, a plea of nolo contendere, or the sentence has been suspended, deferred, or withheld on a felony or misdemeanor as defined by Section 18-110 and Section 18-111, Idaho Code. (4-9-09)

g. Criminal History Check (CHC). A ten (10) finger fingerprint process to determine if an applicant has criminal arrests and convictions in Idaho, any other state, or applicable jurisdictions. (4-9-09)

h. Criminal History Check Result. Information resulting from processing fingerprints through the databases maintained by the Bureau of Criminal Identification (BCI), Federal Bureau of Investigation (FBI) and the Idaho Statewide Sex Offender Registry. (4-9-09)

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- i.** Irregular Contact. Contact that is not on a daily or weekly basis, or has a regular scheduled interaction with students. (4-9-09)
- j.** Multiple Assignments. When an individual works in two or more LEAs or an LEA and private school simultaneously. (4-9-09)
- k.** Non-Certificated Employee. An individual employed in a non-certificated position. (4-9-09)
- l.** Open Date. The date a fingerprint card or scan is entered into the database as an electronic file. (4-9-09)
- m.** Rejected Fingerprint Cards. A fingerprint card that has been returned by the BCI, FBI or SDE for poor quality prints, lack of signature, card being older than six (6) months, or other incomplete information. (4-9-09)
- n.** Scan. The process of capturing an individual's fingerprints by an electronic process. (4-9-09)
- o.** Unsupervised Contact. Direct contact or interaction with students not under the direct supervision of a school district employee on a continuing basis in a K-12 setting. This includes contact or interaction with students in scheduled school activities that occur outside of the school or outside of normal school hours. This excludes extra-curricular trips of one-day length starting during the school day. (4-9-09)
- 02. Fee.** The SDE shall charge a forty dollars (\$40) fee for undergoing a criminal history check. (4-9-09)
- 03. Rejected Fingerprint Cards or Scans.** (4-9-09)

 - a.** When a fingerprint card has been rejected a new completed fingerprint card is required. (4-9-09)
 - b.** The rejected fingerprint card will be sent back to the originating LEA, private or parochial school, contractors, postsecondary program, or individual. (4-9-09)
 - c.** A new fingerprint card must be completed by a law enforcement agency to ensure legible fingerprints. Both the rejected fingerprint card and the new fingerprint card must be returned to the SDE within twenty (20) calendar days. (4-9-09)
 - d.** If the new fingerprint card and rejected fingerprint card are returned after the twenty (20) calendar day time period a forty dollar (\$40) fee is required to be paid. (4-9-09)
- 04. Secured CHC Website.** The SDE will maintain a CHC website listing the CHC results. The LEA, private or parochial school, contractor or postsecondary program may view the results or status of an applicant, employee or candidate. (4-9-09)

 - a.** Upon a signed agreement the SDE will issue a password to access the CHC website. (4-9-09)
 - b.** Each LEA, private or parochial school, contractor and postsecondary program will have access to the CHC secure site listing their employees, statewide substitute teacher list, newly certified list and student teacher list. (4-9-09)
- 05. Fingerprinting & Criminal History Checks.** (4-9-09)

 - a.** The SDE will maintain a list of newly certificated educators. Educators stay on this list for one (1) year from their individual open date. Educators on this list may be employed by a LEA without a new CHC. (4-9-09)
 - b.** The SDE will make the final determination if an applicant is eligible for Idaho certification. (4-9-09)

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c. If the SDE makes a determination that the applicant is not eligible for Idaho certification, the SDE may deny the applicant Idaho certification. Upon receiving the written denial the applicant may request a hearing pursuant to Section 33-1209, Idaho Code. (4-9-09)

06. Non-Certificated Employees. Non-certificated employees are required to complete a CHC pursuant to Section 33-130, Idaho Code. The CHC results will be posted on the CHC website for their employer to review. (4-9-09)

07. Substitute Teachers. Substitute teachers as defined in Section 33-512(15), Idaho Code, must undergo a criminal history check. The SDE shall maintain a statewide substitute teacher list. To remain on the list a substitute teacher shall undergo a criminal history check every five (5) years in accordance with Section 33-512, Idaho Code. Substitute teachers on the list do not need to complete a multiple assignment form nor are subject to break in service provisions. (4-9-09)

08. Break In Service. (4-9-09)

a. When an employee returns to any LEA after a break in service a new criminal history check must be completed. (4-9-09)

b. When an employee changes employment between LEAs a new CHC must be completed regardless of the most recent CHC. (4-9-09)

09. Postsecondary. (4-9-09)

a. The postsecondary program will submit a completed fingerprint card or scan for all candidates who are applying for student teaching, internships or practicum. (4-9-09)

b. The SDE will make a preliminary determination based on the CHC result if the candidate is eligible for certification in Idaho. This decision will be forwarded to the postsecondary program concerning the eligibility of their candidate. (4-9-09)

c. The SDE will move a candidate from the student teacher list to the newly certified list when an application for certification is approved. (4-9-09)

076. CODE OF ETHICS FOR IDAHO PROFESSIONAL EDUCATORS (SECTIONS 33-1208 AND 33-1209, IDAHO CODE).

Believing in the worth and dignity of each human being, the professional educator recognizes the supreme importance of pursuing truth, striving toward excellence, nurturing democratic citizenship and safeguarding the freedom to learn and to teach while guaranteeing equal educational opportunity for all. The professional educator accepts the responsibility to practice the profession according to the highest ethical principles. The Code of Ethics for Idaho Professional Educators symbolizes the commitment of all Idaho educators and provides principles by which to judge conduct. (3-20-04)

01. Aspirations and Commitments. (3-20-04)

a. The professional educator aspires to stimulate the spirit of inquiry in students and to provide opportunities in the school setting that will help them acquire viable knowledge, skills, and understanding that will meet their needs now and in the future. (3-20-04)

b. The professional educator provides an environment that is safe to the cognitive, physical and psychological well-being of students and provides opportunities for each student to move toward the realization of his goals and potential as an effective citizen. (3-20-14)

c. The professional educator, recognizing that students need role models, will act, speak and teach in such a manner as to exemplify nondiscriminatory behavior and encourage respect for other cultures and beliefs.

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(3-20-14)

d. The professional educator is committed to the public good and will help preserve and promote the principles of democracy. He will provide input to the local school board to assist in the board's mission of developing and implementing sound educational policy, while promoting a climate in which the exercise of professional judgment is encouraged. (4-11-06)

e. The professional educator believes the quality of services rendered by the education profession directly influences the nation and its citizens. He strives, therefore, to establish and maintain the highest set of professional principles of behavior, to improve educational practice, and to achieve conditions that attract highly qualified persons to the profession. (4-11-06)

f. The professional educator regards the employment agreement as a pledge to be executed in a manner consistent with the highest ideals of professional service. He believes that sound professional personal relationships with colleagues, governing boards, and community members are built upon integrity, dignity, and mutual respect. The professional educator encourages the practice of the profession only by qualified persons. (4-11-06)

02. Principle I - Professional Conduct. A professional educator abides by all federal, state, and local education laws and statutes. Unethical conduct shall include the conviction of any felony or misdemeanor offense set forth in Section 33-1208, Idaho Code. (3-20-14)

03. Principle II - Educator/Student Relationship. A professional educator maintains a professional relationship with all students, both inside and outside the physical and virtual classroom. Unethical conduct includes, but is not limited to: (3-20-14)

- a.** Committing any act of child abuse, including physical or emotional abuse; (3-20-04)
- b.** Committing any act of cruelty to children or any act of child endangerment; (3-20-04)
- c.** Committing or soliciting any sexual act from any minor or any student regardless of age; (3-20-04)
- d.** Committing any act of harassment as defined by district policy; (4-11-06)
- e.** Soliciting, encouraging, or consummating a romantic or inappropriate relationship (whether written, verbal, virtual, or physical) with a student, regardless of age; (3-20-14)

f. Using inappropriate language including, but not limited to, swearing and improper sexual comments (e.g., sexual innuendoes or sexual idiomatic phrases); (3-20-04)

g. Taking or possessing images (digital, photographic, or video) of students of a harassing, confidential, or sexual nature; (4-11-15)

h. Inappropriate contact with any minor or any student regardless of age using electronic media; (4-11-06)

i. Furnishing alcohol or illegal or unauthorized drugs to any student or allowing or encouraging a student to consume alcohol or unauthorized drugs except in a medical emergency; (3-20-14)

j. Conduct that is detrimental to the health or welfare of students; and (3-20-14)

k. Deliberately falsifying information presented to students. (3-20-14)

04. Principle III - Alcohol and Drugs Use or Possession. A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice. Unethical conduct includes, but is not limited to: (3-20-14)

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a. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming illegal or unauthorized drugs; (3-20-04)

b. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming alcohol; (3-20-04)

c. Inappropriate or illegal use of prescription medications on school premises or at any school-sponsored events, home or away; (4-11-06)

d. Inappropriate or illegal use of drugs or alcohol that impairs the individual's ability to function; and (4-11-06)

e. Possession of an illegal drug as defined in Chapter 27, Idaho Code, Uniform Controlled Substances. (3-20-04)

05. Principle IV - Professional Integrity. A professional educator exemplifies honesty and integrity in the course of professional practice. Unethical conduct includes, but is not limited to: (3-20-14)

a. Fraudulently altering or preparing materials for licensure or employment; (3-20-04)

b. Falsifying or deliberately misrepresenting professional qualifications, degrees, academic awards, and related employment history when applying for employment or licensure; (3-20-04)

c. Failure to notify the state at the time of application for licensure of past revocations or suspensions of a certificate or license from another state; (3-20-04)

d. Failure to notify the state at the time of application for licensure of past criminal convictions of any crime violating the statutes or rules governing teacher certification; (3-20-14)

e. Falsifying, deliberately misrepresenting, or deliberately omitting information regarding the evaluation of students or personnel, including improper administration of any standardized tests (changing test answers; copying or teaching identified test items; unauthorized reading of the test to students, etc.); (4-11-06)

f. Falsifying, deliberately misrepresenting, or deliberately omitting reasons for absences or leaves; (3-20-04)

g. Falsifying, deliberately misrepresenting, or deliberately omitting information submitted in the course of an official inquiry or investigation; (3-20-14)

h. Falsifying, deliberately misrepresenting, or deliberately omitting material information on an official evaluation of colleagues; and (3-20-14)

i. Failure to notify the state of any criminal conviction of a crime violating the statutes and/or rules governing teacher certification. (3-20-14)

06. Principle V - Funds and Property. A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes, but is not limited to: (3-20-14)

a. Misuse, or unauthorized use, of public or school-related funds or property; (3-20-04)

b. Failure to account for school funds collected from students, parents, or patrons; (3-20-14)

c. Submission of fraudulent requests for reimbursement of expenses or for pay; (3-20-04)

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- d.** Co-mingling of public or school-related funds in personal bank account(s); (3-20-04)
- e.** Use of school property for private financial gain; (3-20-14)
- f.** Use of school computers to deliberately view or print pornography; and, (3-20-04)
- g.** Deliberate use of poor budgeting or accounting practices. (3-20-04)
- 07. Principle VI - Compensation.** A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes, but is not limited to: (3-20-14)

 - a.** Unauthorized solicitation of students or parents of students to purchase equipment, supplies, or services from the educator who will directly benefit; (3-20-14)
 - b.** Acceptance of gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest; (3-20-04)
 - c.** Tutoring students assigned to the educator for remuneration unless approved by the local board of education; and, (3-20-04)
 - d.** Soliciting, accepting, or receiving a financial benefit greater than fifty dollars (\$50) as defined in Section 18-1359(b), Idaho Code. (3-20-14)
- 08. Principle VII - Confidentiality.** A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law. Unethical conduct includes, but is not limited to: (3-20-14)

 - a.** Sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status or income, and assessment or testing results with inappropriate individuals or entities; and (3-20-04)
 - b.** Sharing of confidential information about colleagues obtained through employment practices with inappropriate individuals or entities. (3-20-04)
- 09. Principle VIII - Breach of Contract or Abandonment of Employment.** A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes, but is not limited to: (3-20-14)

 - a.** Abandoning any contract for professional services without the prior written release from the contract by the employing school district or agency; (3-20-04)
 - b.** Willfully refusing to perform the services required by a contract; and, (3-20-04)
 - c.** Abandonment of classroom or failure to provide appropriate supervision of students at school or school-sponsored activities to ensure the safety and well-being of students. (3-20-04)
- 10. Principle IX - Duty to Report.** A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators and submits reports as required by Idaho Code. Unethical conduct includes, but is not limited to: (3-20-14)

 - a.** Failure to comply with Section 33-1208A, Idaho Code, (reporting requirements and immunity); (3-20-04)
 - b.** Failure to comply with Section 16-1605, Idaho Code, (reporting of child abuse, abandonment or neglect); (4-11-06)

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- c. Failure to comply with Section 33-512B, Idaho Code, (suicidal tendencies and duty to warn); and (4-11-06)
 - d. Having knowledge of a violation of the Code of Ethics for Idaho Professional Educators and failing to report the violation to an appropriate education official. (3-20-04)
- 11. Principle X - Professionalism.** A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities while following generally recognized professional principles. Unethical conduct includes, but is not limited to: (3-20-14)
- a. Any conduct that seriously impairs the Certificate holder's ability to teach or perform his professional duties; (3-20-04)
 - b. Committing any act of harassment toward a colleague; (4-11-06)
 - c. Failure to cooperate with the Professional Standards Commission in inquiries, investigations, or hearings; (3-20-04)
 - d. Using institutional privileges for the promotion of political candidates or for political activities, except for local, state or national education association elections; (4-11-06)
 - e. Willfully interfering with the free participation of colleagues in professional associations; and (4-11-06)
 - f. Taking or possessing images (digital, photographic or video) of colleagues of a harassing, confidential, or sexual nature. (4-11-15)

077. DEFINITIONS FOR USE WITH THE CODE OF ETHICS FOR IDAHO PROFESSIONAL EDUCATORS (SECTIONS 33-1208 AND 33-1209, IDAHO CODE).

- 01. Administrative Complaint.** A document issued by the State Department of Education outlining the specific, purported violations of Section 33-1208, Idaho Code, or the Code of Ethics for Idaho Professional Educators. (3-20-04)
- 02. Allegation.** A purported violation of the Code of Ethics for Idaho Professional Educators or Idaho Code. (3-20-04)
- 03. Certificate.** A document issued by the Department of Education under the authority of the State Board of Education allowing a person to serve in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse or school librarian (Section 33-1201, Idaho Code). (3-20-04)
- 04. Certificate Denial.** The refusal of the state to grant a certificate for an initial or reinstatement application. (3-20-04)
- 05. Certificate Suspension.** A time-certain invalidation of any Idaho certificate as determined by a stipulated agreement or a due process hearing panel as set forth in Section 33-1209, Idaho Code. (3-20-04)
- 06. Complaint.** A signed document defining the allegation that states the specific ground or grounds for revocation, suspension, denial, place reasonable conditions on a certificate or issuance of a letter of reprimand (Section 33-1209(1), Idaho Code). The State Department of Education may initiate a complaint. (4-11-06)
- 07. Conditional Certificate.** Allows an educator to retain licensure under certain stated Certificate conditions as determined by the Professional Standards Commission (Section 33-1209(10), Idaho Code). (3-20-04)

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- 08. Contract.** Any signed agreement between the school district and a certificated educator pursuant to Section 33-513(1), Idaho Code. (3-20-04)
- 09. Conviction.** Refers to all instances regarding a finding of guilt by a judge or jury; a plea of guilt by Nolo Contendere or Alford plea; or all proceedings in which a sentence has been suspended, deferred or withheld. (3-20-04)
- 10. Educator.** A person who holds or applies for an Idaho Certificate (Section 33-1001(16) and Section 33-1201, Idaho Code). (3-20-04)
- 11. Education Official.** An individual identified by local school board policy, including, but not limited to, a superintendent, principal, assistant principal, or school resource officer (SRO). (3-20-04)
- 12. Executive Committee.** A decision-making body comprised of members of the Professional Standards Commission, including the chair and/or vice-chair of the Commission. A prime duty of the Committee is to review purported violations of the Code of Ethics for Idaho Professional Educators to determine probable cause and direction for possible action to be taken against a Certificate holder. (3-20-14)
- 13. Hearing.** A formal review proceeding that ensures the respondent due process. The request for a hearing is initiated by the respondent and is conducted by a panel of peers. (3-20-04)
- 14. Hearing Panel.** A minimum of three (3) educators appointed by the chair of the Professional Standards Commission and charged with the responsibility to make a final determination regarding the charges specifically defined in the Administrative Complaint. (3-20-04)
- 15. Investigation.** The process of gathering factual information concerning a valid, written complaint in preparation for review by the Professional Standards Commission Executive Committee, or following review by the Executive Committee at the request of the deputy attorney general assigned to the Department of Education. (3-20-14)
- 16. Minor.** Any individual who is under eighteen (18) years of age. (3-20-04)
- 17. Not-Sufficient Grounds.** A determination by the Executive Committee that there is not-sufficient evidence to take action against an educator's certificate. (3-20-14)
- 18. Principles.** Guiding behaviors that reflect what is expected of professional educators in the state of Idaho while performing duties as educators in both the private and public sectors. (3-20-04)
- 19. Reprimand.** A written letter admonishing the Certificate holder for his conduct. The reprimand cautions that further unethical conduct may lead to consideration of a more severe action against the holder's Certificate. (3-20-04)
- 20. Respondent.** The legal term for the professional educator who is under investigation for a purported violation of the Code of Ethics for Idaho Professional Educators. (3-20-04)
- 21. Revocation.** The invalidation of any Certificate held by the educator. (3-20-04)
- 22. Stipulated Agreement.** A written agreement between the respondent and the Professional Standards Commission to resolve matters arising from an allegation of unethical conduct following a complaint or an investigation. The stipulated agreement is binding to both parties and is enforceable under its own terms, or by subsequent action by the Professional Standards Commission. (3-20-04)
- 23. Student.** Any individual enrolled in any Idaho public or private school from preschool through grade 12. (3-20-04)
- 24. Sufficient Grounds.** A determination by the Executive Committee that sufficient evidence exists

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to issue an Administrative Complaint.

(3-20-04)

078. -- 089. (RESERVED)

~~090. INTERSTATE CERTIFICATION COMPACT.~~

~~Idaho participates in the Interstate Agreement of Qualification of Education Personnel. This agreement applies equally to teachers entering Idaho from another compact member state and to teachers entering another compact member state from Idaho. The compact applies to classroom teachers only. Trades and industries teachers are not covered by the agreement. (Section 33-4104, Idaho Code)~~

~~(4-1-97)~~

091. -- 099. (RESERVED)

100. OFFICIAL VEHICLE FOR APPROVING TEACHER EDUCATION PROGRAMS.

(Section 33-114, Idaho Code)

(4-1-97)

01. The Official Vehicle for the Approval of Teacher Education Programs. The official vehicle for the approval of teacher education programs will be the Council for the Accreditation of Educator Preparation (CAEP) approved Idaho Standards for the Initial Certification of Professional School Personnel. The Idaho Standards are based upon the accepted national standards for educator preparation and include state-specific, core teaching requirements. The State Department of Education will transmit to the head of each Idaho college or department of education a copy of all revisions to the Idaho Standards for the Initial Certification of Professional School Personnel. Such revisions will take effect and must be implemented within a period not to exceed two (2) years after notification of such revision.

(3-12-14)

02. Reference Availability. The Idaho Standards for the Initial Certification of Professional School Personnel, incorporated by reference in Subsection 004.01, are available for inspection on the Office of the State Board of Education's website at www.boardofed.idaho.gov.

(3-29-12)

03. Continuing Approval.

(3-29-12)

a. The state of Idaho will follow the National Council for Accreditation of Teacher Education (NCATE) model by which institutions shall pursue continuing approval through a full program review every seven (7) years. The full program review shall be based upon the Idaho Standards for Initial Certification of Professional School Personnel.

(3-29-12)

b. The state of Idaho will additionally conduct focused reviews of state-specific, core teaching requirements in the interim, not to exceed every third year following the full program review.

(3-29-12)

04. Payment Responsibilities for Teacher Preparation Program Reviews. The Professional Standards Commission is responsible for Idaho teacher preparation program reviews, including assigning responsibility for paying for program reviews. To implement the reviews, it is necessary that:

(4-6-05)

a. The Professional Standards Commission pay for all in-state expenses for on-site teacher preparation reviews from its budget.

(4-6-05)

b. Requesting institutions pay for all out-of-state expenses related to on-site teacher preparation program reviews.

(4-6-05)

101. -- 109. (RESERVED)

110. PERSONNEL STANDARDS.

The State Board of Education supports the efforts made by the Idaho Legislature to lower class size. Significant progress has been made in grades one through three (1-3). The State Board of Education believes that class sizes in grades four through six (4-6) are too high. Districts are encouraged to lower all class sizes as funds become available. Each district will develop personnel policies and procedures to implement the educational program of the district. The

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policies and procedures will address representation in each of the following personnel areas, as appropriate to student enrollment and the needs of each attendance area. Districts should strive to achieve ratios consistent with state class size ratio goals.

TEACHERS	STATE GOALS
Kindergarten	20
Grades 1, 2, 3	20
Grades 4, 5, 6	26
Middle School/Jr. High	160 teacher load
High School	160 teacher load
Alternative School (7-12)	18 average daily class load

INSTRUCTIONAL PERSONNEL

Schools are encouraged to explore technological options that provide for credible alternative delivery systems. Present and emerging information transmission technology may provide for greater teacher/pupil class size ratios.

PUPIL PERSONNEL	
(Certificated School Counselors, Social Workers, Psychologists)	400:1 * student/district average
Secondary Media Generalist and Assistants	500:1 * student/district average
Elementary Media Generalist or Assistants	500:1 * student/district average
Building Administrative Personnel	Not to exceed 500:1 * district average

* The stated pupil to personnel ratio is the goal; each school district will assign personnel as appropriate to student enrollment and the needs of each attendance area.

Classroom Assistants - State Goal: will be provided where the student/teacher ratio is deemed excessive by the district or where other student special needs exist (e.g., limited English proficiency or special education).

Classified Personnel - State Goal: will be employed in each building to support the needs of the staff, students, and community. (4-1-97)

111. -- 119. (RESERVED)

120. LOCAL DISTRICT EVALUATION POLICY -- TEACHER AND PUPIL PERSONNEL CERTIFICATE HOLDERS.

Each school district board of trustees will develop and adopt policies for teacher performance evaluation using multiple measures in which criteria and procedures for the evaluation of certificated personnel are research based and aligned to Charlotte Danielson Framework for Teaching Second Edition domains and components of instruction. The process of developing criteria and procedures for certificated personnel evaluation will allow opportunities for input from those affected by the evaluation; i.e., trustees, administrators, teachers, and parents. The evaluation policy will

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be a matter of public record and communicated to the certificated personnel for whom it is written. (3-20-14)

01. Standards. Each district evaluation model shall be aligned to state minimum standards that are based on Charlotte Danielson's Framework for Teaching Second Edition domains and components of instruction. Those domains and components include: (3-29-10)

- a.** Domain 1 - Planning and Preparation: (3-29-10)
 - i. Demonstrating Knowledge of Content and Pedagogy; (3-29-10)
 - ii. Demonstrating Knowledge of Students; (3-29-10)
 - iii. Setting Instructional Outcomes; (3-20-14)
 - iv. Demonstrating Knowledge of Resources; (3-29-10)
 - v. Designing Coherent Instruction; and (3-29-10)
 - vi. Designing Student Assessments. (3-29-12)
- b.** Domain 2 - The Classroom Environment: (3-29-12)
 - i. Creating an Environment of Respect and Rapport; (3-29-10)
 - ii. Establishing a Culture for Learning; (3-29-10)
 - iii. Managing Classroom Procedures; (3-29-10)
 - iv. Managing Student Behavior; and (3-29-10)
 - v. Organizing Physical Space. (3-29-10)
- c.** Domain 3 - Instruction and Use of Assessment: (3-29-10)
 - i. Communicating with Students; (3-29-12)
 - ii. Using Questioning and Discussion Techniques; (3-29-10)
 - iii. Engaging Students in Learning; (3-29-10)
 - iv. Using Assessment in Instruction; and (3-29-12)
 - v. Demonstrating Flexibility and Responsiveness. (3-29-12)
- d.** Domain 4 - Professional Responsibilities: (3-29-10)
 - i. Reflecting on Teaching; (3-29-10)
 - ii. Maintaining Accurate Records; (3-29-10)
 - iii. Communicating with Families; (3-29-10)
 - iv. Participating in a Professional Community; (3-29-12)
 - v. Growing and Developing Professionally; and (3-29-10)

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- vi. Showing Professionalism. (3-29-10)

02. Professional Practice. For evaluations conducted on or after July 1, 2013, all certificated instructional employees must receive an evaluation in which at least sixty-seven percent (67%) of the evaluation results are based on Professional Practice. All measures included within the Professional Practice portion of the evaluation must be aligned to the Charlotte Danielson Framework for Teaching Second Edition. The measures included within the Professional Practice portion of the evaluation shall include a minimum of two (2) documented observations annually, with at least one (1) observation being completed by January 1 of each year. In situations where certificated personnel are unavailable for two (2) documented classroom observations, due to situations such as long-term illness, late year hire, etc., one (1) documented classroom observation is acceptable. District evaluation models shall also include at least one (1) of the following as a measure to inform the Professional Practice portion of all certificated instructional employee evaluations: (4-11-15)

- a. Parent/guardian input; (3-20-14)
- b. Student input; and/or (3-20-14)
- c. Portfolios. (3-20-14)

03. Student Achievement. For evaluations conducted on or after July 1, 2013, all certificated instructional employees, principals and superintendents must receive an evaluation in which at least thirty-three percent (33%) of the evaluation results are based on multiple objective measures of growth in student achievement as determined by the board of trustees and based upon research. For evaluations conducted on or after July 1, 2014, growth in student achievement as measured by Idaho's statewide assessment for Federal accountability purposes must be included. This portion of the evaluation may be calculated using current and/or past year's data and may use one (1) or multiple years of data. Growth in student achievement may be considered as an optional measure for all other school based and district based staff, as determined by the local board of trustees. (3-20-14)

04. Participants. Each district evaluation policy will include provisions for evaluating all certificated employees identified in Section 33-1001, Idaho Code, Subsection 16. Evaluations shall be differentiated for certificated non-instructional employees and pupil personnel certificate holders in a way that aligns with the Charlotte Danielson Framework for Teaching Second Edition to the extent possible. Policies for evaluating certificated employees should identify the differences, if any, in the conduct of evaluations for nonrenewable contract personnel and renewable contract personnel. (3-20-14)

05. Evaluation Policy - Content. Local school district policies will include, at a minimum, the following information: (4-1-97)

a. Purpose -- statements that identify the purpose or purposes for which the evaluation is being conducted; e.g., individual instructional improvement, personnel decisions. (4-1-97)

b. Evaluation criteria -- statements of the general criteria upon which certificated personnel will be evaluated. (4-1-97)

c. Evaluator -- identification of the individuals responsible for appraising or evaluating certificated instructional staff and pupil personnel performance. The individuals assigned this responsibility shall have received training in evaluation and prior to September 1, 2018, shall demonstrate proof of proficiency in conducting observations and evaluating effective teacher performance by passing a proficiency assessment approved by the State Department of Education as a onetime recertification requirement. (3-20-14)

d. Sources of data -- description of the sources of data used in conducting certificated personnel evaluations. For certificated instructional staff, a minimum of two (2) documented classroom observations shall be included as one (1) source of data. At least one (1) of those observations must be completed prior to January 1 of each year. In situations where certificated personnel are unavailable for two (2) documented classroom observations, due to situations such as long-term illness, late year hire, etc., one (1) documented classroom observation is acceptable.

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Parent/guardian input, student input and/or portfolios shall be considered as sources of data to support professional practice. (4-11-15)

- e.** Procedure -- description of the procedure used in the conduct of certificated personnel evaluations. (4-1-97)
- f.** Communication of results -- the method by which certificated personnel are informed of the results of evaluation. (4-1-97)
- g.** Personnel actions -- the action available to the school district as a result of the evaluation and the procedures for implementing these actions; e.g., job status change. Note: in the event the action taken as a result of evaluation is to not renew an individual's contract or to renew an individual's contract at a reduced rate, school districts should take proper steps to follow the procedures outlined in Sections 33-513 through 33-515, Idaho Code in order to assure the due process rights of all personnel. (3-20-14)
- h.** Appeal -- the procedure available to the individual for appeal or rebuttal when disagreement exists regarding the results of certificated personnel evaluations. (4-1-97)
- i.** Remediation -- the procedure available to provide remediation in those instances where remediation is determined to be an appropriate course of action. (4-1-97)
- j.** Monitoring and evaluation. -- A description of the method used to monitor and evaluate the district's personnel evaluation system. (4-1-97)
- k.** Professional development and training -- a plan for ongoing training for evaluators/administrators and teachers on the districts evaluation standards, tool and process. (3-29-10)
- l.** Funding -- a plan for funding ongoing training and professional development for administrators in evaluation. (3-29-10)
- m.** Collecting and using data -- a plan for collecting and using data gathered from the evaluation tool that will be used to inform professional development. Aggregate data shall be considered as part of the district and individual schools Needs Assessment in determining professional development offerings. (3-20-14)
- n.** Individualizing teacher evaluation rating system -- a plan for how evaluations will be used to identify proficiency and record growth over time. No later than July 1, 2013, districts shall have established an individualized teacher evaluation rating system with a minimum of three (3) rankings used to differentiate performance of teachers and pupil personnel certificate holders including: (3-20-14)

 - i. Unsatisfactory being equal to "1"; (3-20-14)
 - ii. Basic being equal to "2"; and (3-20-14)
 - iii. Proficient being equal to "3". (3-20-14)
- o.** A plan for including all stakeholders including, but not limited to, teachers, board members, administrators, and parents in the development and ongoing review of their teacher evaluation plan. (3-20-14)

06. Evaluation Policy - Frequency of Evaluation. The evaluation policy shall include a provision for evaluating all certificated personnel on a fair and consistent basis. (3-20-14)

07. Evaluation Policy - Personnel Records. Permanent records of each certificated personnel evaluation will be maintained in the employee's personnel file. All evaluation records will be kept confidential within the parameters identified in federal and state regulations regarding the right to privacy (Section 33-518, Idaho Code). Local school districts shall report the rankings of individual certificated personnel evaluations to the State Department of Education annually for State and Federal reporting purposes. The State Department of Education shall ensure that

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the privacy of all certificated personnel is protected by not releasing statistical data of evaluation rankings in local school districts with fewer than five (5) teachers and by only reporting that information in the aggregate by local school district. (3-20-14)

08. Evaluation System Approval. Each school district board of trustees will develop and adopt policies for teacher and pupil personnel certificated performance evaluation in which criteria and procedures for the evaluation are research based and aligned with the Charlotte Danielson Framework for Teaching Second Edition. By July 1, 2014, an evaluation plan which incorporates all of the above elements shall be submitted to the State Department of Education for approval. Once approved, subsequent changes made in the evaluation system shall be resubmitted for approval. (3-20-14)

121. LOCAL DISTRICT EVALUATION POLICY - SCHOOL PRINCIPAL.

For principal evaluations conducted on or after July 1, 2014, each school district board of trustees will develop and adopt policies for principal performance evaluation using multiple measures in which criteria and procedures for the evaluation of administratively certificated personnel serving as school principal are research based and aligned to the standards and requirements outlined in Subsections 121.01 through 121.07 of this rule. Districts must, at a minimum, pilot such an evaluation during the 2013-2014 school year and report the results of that pilot to the State Department of Education no later than July 1, 2014, in a format determined by the Department. The process of developing criteria and procedures for principal evaluation will allow opportunities for input from those affected by the evaluation; i.e., trustees, administrators, teachers and parents. The evaluation policy will be a matter of public record and communicated to the principal for whom it is written. (3-20-14)

01. Standards. Each district principal evaluation model shall be aligned to state minimum standards based on the Interstate School Leaders Licensure Consortium (ISLLC) standards and include proof of proficiency in conducting teacher evaluations using the state's adopted model, the Charlotte Danielson Framework for Teaching Second Edition. Proof of proficiency in evaluating teacher performance shall be required of all individuals assigned the responsibility for appraising, observing, or evaluating certificated personnel performance. Those responsible for measuring teacher performance are district leadership such as principals, assistant principals, special education directors, and superintendents. Proof of proficiency in evaluating performance shall be demonstrated by passing a proficiency assessment approved by the State Department of Education as a onetime recertification requirement prior to September 1, 2018. Principal evaluation standards shall additionally address the following domains and components: (4-11-15)

a. Domain 1: School Climate - An educational leader promotes the success of all students by advocating, nurturing and sustaining a school culture and instructional program conducive to student learning and staff professional development. An educational leader articulates and promotes high expectations for teaching and learning while responding to diverse community interest and needs. (3-20-14)

i. School Culture - Principal establishes a safe, collaborative, and supportive culture ensuring all students are successfully prepared to meet the requirements for tomorrow's careers and life endeavors. (3-20-14)

ii. Communication - Principal is proactive in communicating the vision and goals of the school or district, the plans for the future, and the successes and challenges to all stakeholders. (3-20-14)

iii. Advocacy - Principal advocates for education, the district and school, teachers, parents, and students that engenders school support and involvement. (3-20-14)

b. Domain 2: Collaborative Leadership - An educational leader promotes the success of all students by ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment. In collaboration with others, uses appropriate data to establish rigorous, concrete goals in the context of student achievement and instructional programs. The educational leader uses research and/or best practices in improving the education program. (3-20-14)

i. Shared Leadership - Principal fosters shared leadership that takes advantage of individual expertise, strengths, and talents, and cultivates professional growth. (3-20-14)

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ii. Priority Management - Principal organizes time and delegates responsibilities to balance administrative/managerial, educational, and community leadership priorities. (3-20-14)

iii. Transparency - Principal seeks input from stakeholders and takes all perspectives into consideration when making decisions. (3-20-14)

iv. Leadership Renewal - Principal strives to continuously improve leadership skills through, professional development, self-reflection, and utilization of input from others. (3-20-14)

v. Accountability - Principal establishes high standards for professional, legal, ethical, and fiscal accountability for self and others. (3-20-14)

c. Domain 3: Instructional Leadership - An educational leader promotes the success of all students by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community. The educational leader provides leadership for major initiatives and change efforts and uses research and/or best practices in improving the education program. (3-20-14)

i. Innovation - Principal seeks and implements innovative and effective solutions that comply with general and special education law. (3-20-14)

ii. Instructional Vision - Principal insures that instruction is guided by a shared, research-based instructional vision that articulates what students do to effectively learn. (3-20-14)

iii. High Expectations - Principal sets high expectation for all students academically, behaviorally, and in all aspects of student well-being. (3-20-14)

iv. Continuous Improvement of Instruction - Principal has proof of proficiency in assessing teacher performance based upon the Charlotte Danielson Framework for Teaching Second Edition. Aligns resources, policies, and procedures toward continuous improvement of instructional practice guided by the instructional vision. (3-20-14)

v. Evaluation - Principal uses teacher/principal evaluation and other formative feedback mechanisms to continuously improve teacher/principal effectiveness. (3-20-14)

vi. Recruitment and Retention -Principal recruits and maintains a high quality staff. (3-20-14)

02. Professional Practice. For evaluations conducted on or after July 1, 2014, all principals must receive an evaluation in which sixty-seven percent (67%) of the evaluation results are based on Professional Practice. All measures included within the Professional Practice portion of the evaluation must be aligned to the Domains and Components listed in Subsection 121.01.a. through 121.01.c. of this rule. As a measure to inform the Professional Practice portion of all principal evaluations, district evaluation models shall also include at least one (1) of the following: (3-20-14)

a. Parent/guardian input; (3-20-14)

b. Teacher input; (3-20-14)

c. Student input; and/or (3-20-14)

d. Portfolios. (3-20-14)

03. Student Achievement. For evaluations conducted on or after July 1, 2013, all certificated instructional employees, principals and superintendents must receive an evaluation in which at least thirty-three percent (33%) of the evaluation results are based on multiple objective measures of growth in student achievement as determined by the board of trustees and based upon research. For evaluations conducted on or after July 1, 2014, growth in student achievement as measured by Idaho's statewide assessment for Federal accountability purposes must

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be included. This portion of the evaluation may be calculated using current and/or past year's data and may use one (1) or multiple years of data. Growth in student achievement may be considered as an optional measure for all other school based and district based staff, as determined by the local board of trustees. (3-20-14)

04. Evaluation Policy - Content. For evaluations conducted on or after July 1, 2014, local school district policies will include, at a minimum, the following information: (3-20-14)

a. Purpose -- statements that identify the purpose or purposes for which the evaluation is being conducted; e.g., individual instructional leadership, personnel decisions. (3-20-14)

b. Evaluation criteria -- statements of the general criteria upon which principals be evaluated. (3-20-14)

c. Evaluator -- identification of the individuals responsible for appraising or evaluating principal performance. The individuals assigned this responsibility shall have received training in evaluation. (3-20-14)

d. Sources of data -- description of the sources of data used in conducting principal evaluations. Proficiency in conducting observations and evaluating effective teacher performance shall be included as one (1) source of data. (3-20-14)

e. Procedure -- description of the procedure used in the conduct of principal evaluations. (3-20-14)

f. Communication of results -- the method by which principals are informed of the results of evaluation. (3-20-14)

g. Personnel actions -- the action, available to the school district as a result of the evaluation, and the procedures for implementing these actions; e.g., job status change. (3-20-14)

h. Appeal -- the procedure available to the individual for appeal or rebuttal when disagreement exists regarding the results of an evaluations. (3-20-14)

i. Remediation -- the procedure available to provide remediation in those instances where remediation is determined to be an appropriate course of action. (3-20-14)

j. Monitoring and evaluation. -- A description of the method used to monitor and evaluate the district's principal evaluation system. (3-20-14)

k. Professional development and training -- a plan for ongoing training and professional learning based upon the district's evaluation standards and process. (3-20-14)

l. Funding -- a plan for funding ongoing training and professional development for evaluators of principals. (3-20-14)

m. Collecting and using data -- a plan for collecting and using data gathered from the evaluation tool that will be used to inform professional development for principals. (3-20-14)

n. Individualizing principal evaluation rating system -- a plan for how evaluations will be used to identify proficiency and record growth over time. No later than July 1, 2014, districts shall have established an individualized principal evaluation rating system with a minimum of three rankings used to differentiate performance of principals including: (3-20-14)

i. Unsatisfactory being equal to "1"; (3-20-14)

ii. Basic being equal to "2"; and (3-20-14)

iii. Proficient being equal to "3". (3-20-14)

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o. A plan for including stakeholders including, but not limited to, teachers, board members, administrators, and parents in the development and ongoing review of their principal evaluation plan. (3-20-14)

05. Evaluation Policy - Frequency of Evaluation. The evaluation policy should include a provision for evaluating all principals on a fair and consistent basis. All principals shall be evaluated at least once annually no later than May 1 of each year. (3-20-14)

06. Evaluation Policy - Personnel Records. Permanent records of each principal evaluation will be maintained in the employee's personnel file. All evaluation records will be kept confidential within the parameters identified in federal and state regulations regarding the right to privacy (Section 33-518, Idaho Code). Local school districts shall report the rankings of individual certificated personnel evaluations to the State Department of Education annually for State and Federal reporting purposes. The State Department of Education shall ensure that the privacy of all certificated personnel is protected by not releasing statistical data of evaluation rankings in local school districts with fewer than five (5) teachers and by only reporting that information in the aggregate by local school district. (3-20-14)

07. Evaluation System Approval. Each school district board of trustees will develop and adopt policies for principal performance evaluation in which criteria and procedures for the evaluation are research based and aligned with state standards. By July 1, 2014, an evaluation plan which incorporates all of the above elements shall be submitted to the State Department of Education for approval. Once approved, subsequent changes made in the evaluation system shall be resubmitted for approval. (3-20-14)

122. -- 129. (RESERVED)

130. SCHOOL FACILITIES.

Each school facility consists of the site, buildings, equipment, services, and is a critical factor in carrying out educational programs. The focus of concern in each school facility is the provision of a variety of instructional activities and programs, with the health and safety of all persons essential. (4-1-97)

01. Buildings. All school buildings, including portable or temporary buildings, will be designed and built in conformance with the current edition of the codes specified in the Idaho Building Code Act, Section 39-4109, Idaho Code, including, the National Electrical Code, Uniform Plumbing Code, and Idaho General Safety and Health Standards. All school buildings, including portable or temporary buildings, will meet other more stringent requirements established in applicable local building codes. (3-16-04)

02. Inspection of Buildings. All school buildings, including portable or temporary buildings, will be inspected as provided in Section 39-4130, Idaho Code, for compliance with applicable codes. Following this inspection, the school district will, within twenty (20) days, (1) correct any deficiencies specified in the inspection report or (2), if the corrective action involves structural modification, file a written plan with the inspecting agency for correction by the beginning of the following school year. (4-1-97)

131. -- 139. (RESERVED)

140. ACCREDITATION.

All public secondary schools, serving any grade(s) 9-12, will be accredited. Accreditation is voluntary for elementary schools, grades K-8, private and parochial schools, and alternative schools not identified in Subsection 140.01.a. through 140.01.e. of this rule. (Section 33- 119, Idaho Code) (3-20-14)

01. Alternative Schools. Beginning with the 2014-15 school year, an alternative school serving any grade(s) 9-12 that meets any three (3) of the criteria in Subsections 140.01.a. through 140.01.e. of this rule, shall be required to be accredited. An alternative school that does not meet three (3) of the following criteria in Subsections 140.01.a. through 140.01.e. shall be considered as an alternative program by the district board of trustees and shall be included in the accreditation process and reporting of another secondary school within the district for the purposes of meeting the intent of this rule. (3-20-14)

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a. School has an Average Daily Attendance greater than or equal to 36 students based on previous years enrollment; (3-20-14)

b. School enrolls any students full-time for the school year once eligibility determination is made as opposed to schools that enroll students for “make-up” or short periods of time; (3-20-14)

c. School offers an instructional model that is different than that provided by the traditional high school within the district for a majority of the coursework, including but not limited to online/virtual curriculum; (3-20-14)

d. School administers diplomas that come from that alternative school as opposed to students receiving a diploma from the traditional high school within the school district; or (3-20-14)

e. School receives its own accountability rating for federal reporting purposes. (3-20-14)

02. Continuous School Improvement Plan. Schools will develop continuous school improvement plans focused on the improvement of student performance. (4-2-08)

03. Standards. Schools will meet the accreditation standards of the Northwest Accreditation Commission. (3-29-12)

04. Reporting. An annual accreditation report will be submitted to the State Board of Education. (4-2-08)

141. -- 149. (RESERVED)

150. TRANSPORTATION.

Minimum School Bus Construction Standards. All new school bus chassis and bodies must meet or exceed Standards for Idaho School Buses and Operations as incorporated in Section 004 of these rules and as authorized in Section 33-1511, Idaho Code. (5-8-09)

151. -- 159. (RESERVED)

160. MAINTENANCE STANDARDS AND INSPECTIONS.

01. Safety. School buses will be maintained in a safe operating condition at all times. Certain equipment or parts of a school bus that are critical to its safe operation must be maintained at prescribed standards. When routine maintenance checks reveal any unsafe condition identified in the Standards for Idaho School Buses and Operations as incorporated in Section 004 of these rules the school district will eliminate the deficiency before returning the vehicle to service. (5-8-09)

02. Annual Inspection. After completion of the annual school bus inspection, and if the school bus is approved for operation, an annual inspection sticker, indicating the year and month of inspection, will be placed in the lower, right-hand corner of the right side front windshield. The date indicated on the inspection sticker shall correlate to State Department of Education's annual school bus inspection certification report signed by pupil transportation maintenance personnel and countersigned by the district superintendent. (Section 33-1506, Idaho Code) (7-1-02)

03. Sixty-Day Inspections. At intervals of not more than sixty (60) calendar days, excluding documented out-of-use periods in excess of thirty (30) days, the board of trustees shall cause inspection to be made of each school bus operating under the authority of the board. Except that, no bus with a documented out-of-use period in excess of sixty (60) days shall be returned to service without first completing a documented sixty (60) day inspection. Annual inspections are considered dual purpose and also meet the sixty (60) day inspection requirement. (Section 33-1506, Idaho Code) (7-1-04)

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04. Documentation of Inspection. All inspections will be documented in writing. Annual inspections must be documented in writing on the form provided by the State Department of Education. (4-1-97)

05. Unsafe Vehicle. When a bus has been removed from service during a State Department of Education inspection due to an unsafe condition, the district will notify the State Department of Education on the appropriate form before the bus can be returned to service. When a bus has been found to have deficiencies that are not life-threatening, it will be repaired within thirty (30) days and the State Department of Education notified on the appropriate form. If the deficiencies cannot be repaired within thirty (30) days, the bus must be removed from service until the deficiencies have been corrected or an extension granted. (7-1-02)

06. Withdraw from Service Authority. Subsequent to any federal, national, or state advisory with good cause given therefor, the district shall, under the direction of the State Department of Education, withdraw from service any bus determined to be deficient in any prescribed school bus construction standard intended to safeguard life or minimize injury. No bus withdrawn from service under the provisions of this section shall be returned to service or used to transport students unless the district submits to the State Department of Education a certification of compliance specific to the school bus construction standard in question. (Section 33-1506, Idaho Code) (7-1-04)

161. -- 169. (RESERVED)

170. SCHOOL BUS DRIVERS AND VEHICLE OPERATION.

All school districts and school bus drivers must meet or exceed the training, performance and operation requirements delineated in the Standards for Idaho School Buses and Operations as incorporated in Section 004 of these rules. (Section 33-1508; 33-1509, Idaho Code) (5-8-09)

171. -- 179. (RESERVED)

180. WRITTEN POLICY.

The board of trustees will establish and adopt a set of written policies governing the pupil transportation system. Each school district that provides activity bus transportation for pupils shall have comprehensive policies and guidelines regarding activity transportation. (7-1-02)

181. -- 189. (RESERVED)

190. PROGRAM OPERATIONS.

School district fiscal reporting requirements as well as reimbursable and non-reimbursable costs within the Pupil Transportation Support Program, including but not limited to administration, field and activity trips, safety busing, contracting for transportation services, leasing of district-owned buses, insurance, ineligible and non-public school students, ineligible vehicles, capital investments including the purchasing of school buses and equipment, program support and district waiver procedures shall be delineated in Standards for Idaho School Buses and Operations incorporated in Section 004 of these rules. (Section 33-1006, Idaho Code) (5-8-09)

191. -- 219. (RESERVED)

220. RELEASE TIME PROGRAM FOR ELEMENTARY AND SECONDARY SCHOOLS.

In the view of the State Board of Education, public elementary and secondary school programs that permit the practice of releasing students from school for the purpose of attending classes in religious education or for other purposes should observe certain practices that are in keeping with the present state of the law. These practices are designed to ensure that the public school operation is not adversely affected and that public funds and property are not used for sectarian religious instruction in a way which violates the United States Constitution, the Idaho State Constitution, or state law. These practices should include the following: (Section 33-519, Idaho Code) (4-1-97)

01. Scheduling. The local school board will have reasonable discretion over the scheduling and timing of the release program. Release time programs may not interfere with the scheduling of classes, activities and programs of the public schools. (4-1-97)

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02. Voluntary Decision. The decision of a school district to permit release time programs for kindergarten through grade eight (K-8), as well as the decision of individual students to participate, must be purely voluntary. (4-1-97)

03. Time Limit. Release time will be scheduled upon the application of a parent or guardian of a student in grades nine through twelve (9-12), not to exceed five (5) periods per week or one hundred sixty-five (165) hours during any one (1) academic school year. (4-1-97)

04. Location. Release time programs will be conducted away from public school buildings and public school property. (4-1-97)

05. Request by Parent. No student will be permitted to leave the school grounds during the school day to attend release time programs except upon written request from a parent or guardian filed with the school principal. Such written request by the parent will become a part of the student's permanent record. (4-1-97)

06. Record Maintenance. The public school will not be responsible for maintaining attendance records for a student who, upon written request of a parent or guardian, is given permission to leave the school grounds to attend a release time program. The school district will maintain a record of each student's daily schedule that indicates when a student is released for classes in religious education or for other purposes. (4-1-97)

07. Liability. The school district is responsible for ensuring that no public school property, public funds or other public resources are used in any way to operate these programs. The school district is not liable for any injury, act or event occurring while the student participates in such programs. (4-1-97)

08. Course Credit. No credit will be awarded by the school or district for satisfactory completion by a student of a course or courses in release time for religious instruction. Credit may be granted for other purposes, at the discretion of the local school board. (4-1-97)

09. Separation From Public Schools. Public schools will not include schedules of classes for release time programs in school catalogs, registration forms or any other regularly printed public school material. Registration for release time programs must occur off school premises, and must be done on forms and supplies furnished by the group or institution offering the program. Teachers of release time programs are not to be considered members of any public school faculty and should not be asked to participate as faculty members in any school functions or to assume responsibilities for operation of any part of the public school program. (4-1-97)

10. Transportation Liability. Public schools and school districts will not be liable or responsible for the health, safety and welfare of students while they are being transported to and from or participating in release time programs. (4-1-97)

221. -- 229. (RESERVED)

230. DRIVER EDUCATION.

Public Schools. Pursuant to Section 004 of these rules, all public driver education courses offered in Idaho public schools must be conducted in compliance with all the requirements in the Operating Procedures for Idaho Public Driver Education Programs, as incorporated. (4-7-11)

231. -- 239. (RESERVED)

240. JUVENILE DETENTION CENTERS.

01. Definition of Terms. (4-1-97)

a. Juvenile Detention Centers: Facilities that provide for the temporary care of children, as defined in the Juvenile Justice Reform Corrections Act, who require secure custody, for their own or the community's protection, in physically restricting facilities pending court disposition or subsequent to court disposition. (Section 33-2009, Idaho Code) (4-1-97)

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b. Juvenile Offender: A person, as defined in the Juvenile Justice Reform Act, who has been petitioned or adjudicated for a delinquent act that would constitute a felony or misdemeanor if committed by an adult. (4-1-97)

02. Instructional Program. Every public school district in the state within which is located a public or private detention facility housing juvenile offenders pursuant to court order will provide an instructional program. The instructional program will: (4-1-97)

a. Provide course work that meets the minimum requirements of Idaho State Board of Education Rules. (4-1-97)

b. Provide instruction in the core of instruction. (4-1-97)

c. Include the following components, where appropriate: self-concept improvement, social adjustment, physical fitness/personal health, vocational/occupational, adult living skills, and counseling. (4-1-97)

d. Provide instruction and guidance that may lead to a high school diploma. School districts will accept such instruction for purposes of issuing credit when the detention center certifies to the school that the appropriate work is completed. (4-1-97)

e. Be directed by an instructor who holds an appropriate, valid certificate. (4-1-97)

f. Be provided to each student not later than two (2) school days after admission and continue until the student is released from the detention center. (4-1-97)

g. Be provided to students who have attained "school age" as defined in Idaho Code 33-201. (4-1-97)

h. Be provided for a minimum of four (4) hours during each school day. (4-1-97)

i. Be based on the needs and abilities of each student. The resident school district will provide pertinent status information as requested by the Juvenile Detention Center. (4-1-97)

j. Be coordinated with the instructional program at the school the student attends, where appropriate. (4-1-97)

k. Be provided in a facility that is adequate for instruction and study. (4-1-97)

03. State Funding of Instructional Programs at Juvenile Detention Centers. (4-1-97)

a. Every student housed in a juvenile detention center pursuant to court order and participating in an instructional program provided by a public school district will be counted as an exceptional child by the district for purposes of state reimbursement. (4-1-97)

b. Public school districts that educate pupils placed by Idaho court order in juvenile detention centers will be eligible for an allowance equivalent to the previous year's certified local annual tuition rate per pupil. The district allowance will be in addition to support unit funding and included in the district apportionment payment. (4-1-97)

c. To qualify for state funding of instructional programs at Juvenile Detention Centers, school districts must apply for such funding on forms provided by the State Department of Education. Applications are subject to the review and approval of the State Superintendent of Public Instruction. School districts will submit attendance and enrollment reports as required by the State Superintendent of Public Instruction. Juvenile Detention Centers will submit reports to the local school district as required. (4-1-97)

241. -- 999. (RESERVED)

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SUBJECT

Proposed Rule IDAPA 08.02.03.105, Rules Governing Thoroughness – Graduation Requirement

REFERENCE

August 2013	Board approved a temporary and proposed rule amendments requiring the transcription of credits earned in middle school that meet certain criteria.
November 2013	Board approved pending rules changes to IDAPA 08.02.03.105.05 Middle School requiring the transcription of credits earned in middle school that meet certain criteria.
November 2014	Board approved pending rules suspending the proficiency requirements for student's graduating in 2017 and the movement of the ISAT to the 11 th grade (rejected by the 2015 legislature)
February 2015	Board was updated on the rejection of the pending rule amending IDAPA 08.02.03.105
May 2015	Board received in-service on different forms and uses of student assessments
April 2015	Board approve a temporary rule clarifying the teacher requirements for middle level courses that are eligible to be transcribed for high school content and credit requirements

APPLICABLE STATUTE, RULE, OR POLICY

IDAPA 08.02.03. Rules Governing Thoroughness, subsection 105.

BACKGROUND/DISCUSSION

The proposed amendments address three (3) separate issues that are contained in the same section of Idaho Administrative Code, IDAPA 08.02.03, subsection 105 Graduation Requirements. These include the transcription of middle level (school) credits to a student's high school transcript, the Idaho Standards Achieve Test (ISAT) graduation proficiency requirements, and the alternate paths to graduation for those students that do not meet the proficiency requirement to graduate.

In 2013 the Board approved changes to IDAPA 08.02.03.105.05 allowing students who complete a course meeting the following criteria to have the credit for that course transcribed to their high school transcript:

- Student received a "C" or higher
- Course meets the same standards as the transcribed high school course
- Teacher is properly certified and highly qualified to teach the course

Since the rules adoption, Board staff have received several calls from parents requesting their student's grades not be transcribed, as they believe it would

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impact their student's high school grade point average negatively. In addition to the parent's request, Board staff have received a request from the Pocatello School District requesting a waiver of the administrative rule for the same reason. Rather than waive the rule, staff has determined that an amendment allowing for the parents' choice would be a more appropriate long term solution. In April 2015 the Board approved temporary rule changes to provide this clarification. The temporary rule was necessary at the time to provide schools with clarification prior to the end of the school year. The proposed amendment regarding this issue will incorporate the language already approved by the Board as the temporary rule.

As part of the transition to the ISAT by Smarter Balance (administered by AIR) the Board had approved changes to the graduation proficiency requirement, these changes in part moved the grade level requirement from grade ten (10) to grade eleven (11), exempted those students graduating in 2016 and 2017 from having to show proficiency on the assessment to graduate and allowed those students who showed proficiency in grade nine (9) to bank their scores. The exemption for those students graduating in 2016 has been in place since 2014, during the 2015 legislative session the pending rule exempting students graduating in 2017 as well as moving the assessment to grade eleven (11) was rejected. The proposed changes to address this issues would remove the language allowing students who show proficiency in grade nine (9) to bank their scores and would add language that would exempt those students who will graduate in 2017 from having to show proficiency to graduate.

During the transition to the new version of the ISAT additional students who do not meet the traditional requirements to qualify for an alternate route to graduation, but are eligible to use an alternate route to graduation due to not scoring proficient by the end of grade 11, are using their districts alternate routes to graduation. This has brought more attention to the alternate routes developed by the school districts and the need for additional language that addresses common concerns that have been observed by Board staff who receive the plans from the districts. Proposed amendments to this section would include removing the requirement that the student must go through an appeals process with the school district or charter school first, even though eligibility has already been established, clarifying language regarding submittal vs. approval of the school district plans prior to implementation by the school district, clarification that multiple measures does not mean single measures in multiple paths, and that the measures must be in addition to standard school district or state graduation requirements, and a requirement that the school districts provide documentation/rational of how they determined the multiple measures demonstrate grade ten (10) proficiency.

IMPACT

Approval of the proposed rule will address several outstanding issues with the current language that were caused in part by the partial rejection of the pending rule approved by the Board in 2014.

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ATTACHMENTS

Attachment 1 –Proposed Rule IDAPA 08.02.03.105

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STAFF COMMENTS AND RECOMMENDATIONS

At the February 2015 Board meeting the Board discussed potential impacts of the rejection of the pending rule amending IDAPA 08.02.03.105 and the consequences of not moving the ISAT graduation proficiency requirement to grade eleven (11), action was deferred to later, unspecified, date. At the February 2015 Board meeting, concern was expressed that if the assessment was developed as a grade eleven (11) assessment students taking the assessment in grade ten (10) might be at a disadvantage. It was determined that the new assessment was an adaptive test and is initially thought to be valid for up to two (2) grades above or below the grade level it was developed for. Additional concern was expressed that if the assessment was ultimately moved to grade eleven (11) then students would be required to take two state assessments in the same year, the ISAT and the college entrance exam. There was some discussion of allowing students to take the college entrance exam in grades eleven (11) and twelve (12). Allowing this change to the college entrance exam requirement would adversely affect the use of the exam as part of the Direct Admissions initiative. Leaving the ISAT proficiency requirement in grade ten (10) also has implication on whether or not Idaho's public postsecondary institutions would be able to use it as a college placement exam.

The Board's Accountability Oversight Committee has discussed the issue and their preliminary recommendation, until further data is gathered and a final decision is made on the states accountability system, is that the assessment should remain in grade ten (10) at this time.

If the Board chooses to leave the ISAT proficiency requirement in grade ten (10) then those students graduating in 2017 would have taken it in the Spring of 2015, the same year as the field test and prior to the setting of the statewide achievement level descriptors (cut scores), making a strong argument that these students should be exempt from the graduation requirement. The use of the ISAT as a graduation requirement is a separate issue than the use of the ISAT as part of the state's accountability system and should not be confused with the Elementary Secondary Education Act requirements.

BOARD ACTION

I move to approve the Proposed Rule amendments to IDAPA 08.02.03.105 as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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IDAPA 08
TITLE 02
CHAPTER 03

08.02.03 - RULES GOVERNING THOROUGHNESS

105. HIGH SCHOOL GRADUATION REQUIREMENTS.

A student must meet all of the requirements identified in this section before the student will be eligible to graduate from an Idaho high school. The local school district or LEA may establish graduation requirements beyond the state minimum. (5-8-09)

01. Credit Requirements. The State minimum graduation requirement for all Idaho public high schools is forty-six (46) credits and must include twenty-nine (29) credits in core subjects as identified in Paragraphs 105.01.c. through 105.01.i. (3-12-14)

a. Credits. (Effective for all students who enter the ninth grade in the fall of 2010 or later.) One (1) credit shall equal sixty (60) hours of total instruction. School districts or LEA's may request a waiver from this provision by submitting a letter to the State Department of Education for approval, signed by the superintendent and chair of the board of trustees of the district or LEA. The waiver request shall provide information and documentation that substantiates the school district or LEA's reason for not requiring sixty (60) hours of total instruction per credit. (3-29-10)

b. Mastery. A student may also achieve credits by demonstrating mastery of a subject's content standards as defined and approved by the local school district or LEA. (3-29-10)

c. Secondary Language Arts and Communication. Nine (9) credits are required. Eight (8) credits of instruction in Language Arts. Each year of Language Arts shall consist of language study, composition, and literature and be aligned to the Idaho Content Standards for the appropriate grade level. One (1) credit of instruction in communications consisting of oral communication and technological applications that includes a course in speech, a course in debate, or a sequence of instructional activities that meet the Idaho Speech Content Standards requirements. (3-29-10)

d. Mathematics. Six (6) credits are required. Secondary mathematics includes Applied Mathematics, Business Mathematics, Algebra, Geometry, Trigonometry, Fundamentals of Calculus, Probability and Statistics, Discrete Mathematics, and courses in mathematical problem solving and reasoning. AP Computer Science, Dual Credit Computer Science, and Dual Credit Engineering courses may also be counted as a mathematics credit if the student has completed Algebra II standards. Students who choose to take AP Computer Science, Dual Credit Computer Science, and Dual Credit Engineering may not concurrently count such courses as both a math and science credit. (3-12-14)

i. Students must complete secondary mathematics in the following areas: (3-12-14)

(1) Two (2) credits of Algebra I or courses that meet the Idaho Algebra I Content Standards as approved by the State Department of Education; (3-29-10)

(2) Two (2) credits of Geometry or courses that meet the Idaho Geometry Content Standards as approved by the State Department of Education; and (3-29-10)

(3) Two (2) credits of mathematics of the student's choice. (3-29-10)

ii. Two (2) credits of the required six (6) credits of mathematics must be taken in the last year of high school in which the student intends to graduate. For the purposes of this subsection, the last year of high school shall include the summer preceding the fall start of classes. Students who return to school during the summer or the following fall of the next year for less than a full schedule of courses due to failing to pass a course other than math

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are not required to retake a math course as long as they have earned six (6) credits of high school level mathematics. (3-12-14)

iii. Students who have completed six (6) credits of math prior to the fall of their last year of high school, including at least two (2) semesters of an Advanced Placement or dual credit calculus or higher level course, are exempt from taking math during their last year of high school. High School math credits completed in middle school shall count for the purposes of this section. (3-12-14)

e. Science. Six (6) credits are required, four (4) of which will be laboratory based. Secondary sciences include instruction in applied sciences, earth and space sciences, physical sciences, and life sciences. Up to two (2) credits in AP Computer Science, Dual Credit Computer Science, and Dual Credit Engineering may be used as science credits. Students who choose to take AP Computer Science, Dual Credit Computer Science, and Dual Credit Engineering may not concurrently count such courses as both a math and science credit. (3-12-14)

i. Secondary sciences include instruction in the following areas: biology, physical science or chemistry, and earth, space, environment, or approved applied science. Four (4) credits of these courses must be laboratory based. (3-29-10)

f. Social Studies. Five (5) credits are required, including government (two (2) credits), United States history (two (2) credits), and economics (one (1) credit). Courses such as geography, sociology, psychology, and world history may be offered as electives, but are not to be counted as a social studies requirement. (3-29-10)

g. Humanities. Two (2) credits are required. Humanities courses include instruction in visual arts, music, theatre, dance, or world language aligned to the Idaho content standards for those subjects. Other courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if the course is aligned to the Idaho Interdisciplinary Humanities Content Standards. (3-29-10)

h. Health/Wellness. One (1) credit is required. Course must be aligned to the Idaho Health Content Standards. Effective for all public school students who enter grade nine (9) in Fall 2015 or later, each student shall receive a minimum of one (1) class period on psychomotor cardiopulmonary resuscitation (CPR) training as outlined in the American Heart Association (AHA) Guidelines for CPR to include the proper utilization of an automatic external defibrillator (AED) as part of the Health/Wellness course. (3-12-14)

i. Students participating in one (1) season in any sport recognized by the Idaho High School Activities Association or club sport recognized by the local school district, or eighteen (18) weeks of a sport recognized by the local school district may choose to substitute participation up to one (1) credit of physical education. Students must show mastery of the content standards for Physical Education in a format provided by the school district. (4-1-15)

02. Content Standards. Each student shall meet locally established subject area standards (using state content standards as minimum requirements) demonstrated through various measures of accountability including examinations or other measures. (3-29-10)

03. College Entrance Examination. (Effective for all public school students who enter grade nine (9) in Fall 2012 or later.) (3-12-14)

a. A student must take one (1) of the following college entrance or placement examinations before the end of the student's eleventh grade year: SAT, ACT, or Compass. A student who misses the statewide administration of the college exam during the student's grade eleven (11) for one (1) of the following reasons, may take the examination during their grade twelve (12) to meet this requirement: (3-12-14)

i. Transferred to an Idaho school district during grade eleven (11); (3-12-14)

ii. Was homeschooled during grade eleven (11); or (3-12-14)

iii. Missed the spring statewide administration of the college entrance exam dates for documented

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medical reasons. (3-12-14)

b. A student may elect an exemption in grade eleven (11) from the college entrance exam requirement if the student is: (3-12-14)

i. Enrolled in a special education program and has an Individual Education Plan (IEP) that specifies accommodations not allowed for a reportable score on the approved tests; (3-12-14)

ii. Enrolled in a Limited English Proficient (LEP) program for three (3) academic years or less; or (3-12-14)

iii. Enrolled for the first time in grade twelve (12) at an Idaho high school after the fall statewide administration of the college entrance exam. (4-1-15)

c. Students who are eligible to take an alternate assessment may take the ACCUPLACER Placement exam during their senior year to meet the college entrance exam graduation requirement. (3-12-14)

04. Senior Project. A student must complete a senior project by the end of grade twelve (12). The project must include a written report and an oral presentation. Additional requirements for a senior project are at the discretion of the local school district or LEA. (3-12-14)

05. Middle School. A student will have met the high school content and credit area requirement for any high school course if: the requirements outlined in subsections 105.05.1. through 105.05.c. of this rule are met. ~~(4-1-15)~~ ()

a. The student completes such course with a grade of C or higher before entering grade nine (9); (3-12-14)

b. The course meets the same content standards that are required in high school for the same course; and ~~(3-12-14)~~ ()

c. The course is taught by a teacher properly ~~certificated-certified teacher to teach high school content~~ and who meets the federal definition of highly qualified for the course being taught. ~~(3-12-14)~~ ()

d. The student shall be given a grade for the successful completion of that course and such grade and the number of credit hours assigned to the course shall be transferred to the student's high school transcript. Notwithstanding this requirement, the student's parent or guardian shall be notified in advance when credits are going to be transcribed and may elect to not have the credits and grade transferred to the student's high school transcript. Courses taken in middle school appearing in the student's high school transcript, pursuant to this subsection, shall count for the purpose of high school graduation. However, the student must complete the required number of credits in all high school core subjects as identified in Subsections 105.01.c. through 105.01.h. except as provided in 105.01.d.iii. The transcribing high school is required to verify the course(s) meet(s) the requirements specified in subsection 105.05.a. through 105.05.c. of this rule. ~~(3-12-14)~~ ()

06. Proficiency. Each student must achieve a proficient or advanced score on the grade ten (10) Idaho Standards Achievement Test (ISAT) in math, reading and language usage in order to graduate unless specifically exempted from doing so as contained herein. Students who will graduate in 2016 and who received a proficient or advanced score on the grade ten (10) ISAT while in grade nine (9) may bank the score for purposes of meeting their graduation requirement. A student who does not attain at least a proficient score prior to graduation ~~may appeal to the school district or LEA, and~~ will be given an opportunity to demonstrate proficiency of the content standards through some other locally established plan. School districts or LEAs shall adopt an alternate plan and provide notice of that plan to all students who have not achieved a proficient or advanced score on the ~~Grade 10~~ grade ten (10) Idaho Standards Achievement Test by the fall semester of the student's junior year. All locally established alternate plans used to demonstrate proficiency shall be forwarded to the State Board of Education for review and information. Alternate plans that are not in conformance with the requirements of subsection 106.b. shall be returned to the LEA and must be resubmitted. Alternate plans must be promptly re-submitted to the Board whenever changes are made in

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such plans. LEA must provide a descriptive summary of how each measure is aligned to the grade ten (10), or higher, state content standards and shows students proficiency. The Board may request plans are submitted in a common format or additional information as necessary to determine plans are in conformance with these rules.

(3-12-14)

a. Before entering an alternate ~~measure~~plan, the student must be: (4-2-08)

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

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

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

b. The alternate plan must: (4-7-11)

i. Contain multiple measures of student achievement, if alternate paths are available to the student within the LEA's alternate plan, each path must contain multiple measures; ~~(4-7-11)~~()

ii. Be aligned at a minimum to tenth grade state content standards; (4-7-11)

iii. Be aligned to the state content standards for the subject matter in question; (4-7-11)

iv. Be valid and reliable;~~and~~ ~~(4-7-11)~~()

v. Ninety percent (90%) of the alternate plan criteria must be based on academic proficiency and performance;~~and~~ (4-7-11)

vi. At least one (1) measure must utilize an externally-created, validated assessment as the evaluation tool; and ()

vii. Measures may not be duplicative of the State or LEA's standard graduation requirements. ()

c. A student is not required to achieve a proficient or advanced score on the ISAT if: (5-8-09)

i. The student received a proficient or advanced score on an exit exam from another state that requires a standards-based exam for graduation. The state's exit exam must approved by the State Board of Education and must measure skills at the tenth grade level and be in comparable subject areas to the ISAT; (5-8-09)

ii. The student completes another measure established by a school district or LEA and received by the Board as outlined in Subsection 105.06; or (3-29-10)

iii. The student has an IEP that outlines alternate requirements for graduation or adaptations are recommended on the test; (5-8-09)

iv. The student is considered an LEP student through a score determined on a language proficiency test and has been in an LEP program for three (3) academic years or less; (5-8-09)

v. The student will graduate in 2017 and completed the grade ten (1) ISAT in math, reading and language usage in 2015. ()

d. Those students who will graduate in 2016 and have not received a proficient or advanced score on the ISAT in grade nine (9), will be required to complete an alternative plan for graduation, as designed by the district, including the elements prescribed in Subsection 105.06.b. and may enter the alternate path prior to the fall of their senior year. (3-12-14)

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07. Special Education Students. A student who is eligible for special education services under the Individuals With Disabilities Education Improvement Act must, with the assistance of the student's Individualized Education Program (IEP) team, refer to the current Idaho Special Education Manual for guidance in addressing graduation requirements. (4-11-06)

08. Foreign Exchange Students. A foreign exchange student may be eligible for graduation by completing a comparable program as approved by the school district or LEA. (4-11-06)

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SUBJECT

Proposed Rule – IDAPA 08.02.03. Advanced Opportunities

REFERENCE

February 2015

Board amended Board policy III.Y. Advanced Opportunities, redefining Tech Prep as Technical Competency Credit

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies and Procedures, III.Y. Advanced Opportunities.

Idaho Administrative Code, IDAPA 08.02.03 – Rules Governing Thoroughness

BACKGROUND/DISCUSSION

In 2014 Board and institution staff worked together to bring forward amendment to Board policy III.Y. Advanced Opportunities, these amendments included clarifying dual credit standards (academic and professional-technical) and redefining what was once called “Tech Prep” to “Technical Competency Credit.” Like Tech Prep, Technical Competency Credit allows secondary students to document proficiency in the skills and abilities they develop in approved high school professional-technical programs to be evaluated for postsecondary transcription at a later date.

IDAPA 08.02.03 as part of the definition of Advance Opportunities used the term “Tech Prep,” the proposed amendment would update the term as Technical Competency Credit and provide a definition for Technical Competency Credit that would replace the existing Tech Prep definition.

IMPACT

Approval of the proposed rule will IDAPA 08.02.03.007 and 009 will bring the rule into alignment with Board policy III.Y.

ATTACHMENTS

Attachment 1 – Proposed Rule IDAPA 08.02.03 Amendments

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 if they are not rejected by the Legislature.

Staff recommends approval.

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BOARD ACTION

I move to approve the Proposed Rule changes to IDAPA 08.02.03 as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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IDAPA 08
TITLE 02
CHAPTER 03

08.02.03 - RULES GOVERNING THOROUGHNESS

007. DEFINITIONS A - G.

01. Achievement Standards. Define “below basic,” “basic,” “proficient,” and “advanced” achievement levels on the Idaho Standards Achievement Tests (ISAT) and “beginning,” “advanced beginning,” “intermediate,” “early fluent” and “fluent” on the Idaho English Language Assessment (IELA) by setting scale score cut points. These cut scores are paired with descriptions of how well students are mastering the material in the content standards. These descriptions are called performance level descriptors or PLDs, and are provided by performance level, by content area, and by grade. (4-2-08)

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

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

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

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

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

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

08. Asynchronous Course. An online course in which an online platform is used to deliver all curricula. The majority of communication exchanges occur in elapsed time and allow students and teachers to participate according to their schedule. Asynchronous courses do not prohibit the use of a paraprofessional, certificated staff or other staff member being present at the physical location during instructional periods where instruction takes place, such as a school computer lab. (4-4-13)

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

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

11. Classic Texts. Literary or other works (e.g., films, speeches) that have been canonized, either

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continuously or intermittently, over a period of time beyond that of their initial publication and reception. (4-5-00)

12. Content Standards. Describe the knowledge, concepts, and skills that students are expected to acquire at each grade level in each content area. (4-2-08)

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

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

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

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

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

18. Decode. (4-5-00)

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

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

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

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

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

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

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

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

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

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

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

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

008. DEFINITIONS H - S.

01. Interdisciplinary or Integrated Assessment. Assessment based on tasks that measures a student's ability to apply concepts, principles, and processes from two (2) or more subject disciplines to a project, issue, or problem. (4-5-00)

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

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

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

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

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

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

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

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

10. Performance Criteria. A description of the characteristics that will be judged for a task.

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Performance criteria may be holistic, analytic trait, general or specific. Performance criteria are expressed as a rubric or scoring guide. Anchor points or benchmark performances may be used to identify each level of competency in the rubric or scoring guide. (4-5-00)

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

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

13. Professional Development. A comprehensive, sustained, timely, and intensive process to improve effectiveness of teachers and administrators in raising student achievement, which: (4-4-13)

a. Aligns with rigorous state academic achievement standards, local educational agency goals, school improvement goals, effective technology integration, and Common Core standards. (4-4-13)

b. Utilizes data driven instruction using a thorough review and continual evaluation of data on teacher and student performance to define clear goals and distinct outcomes. (4-4-13)

c. Provides opportunities that are individualized enough to meet distinct and diverse levels of need for teachers and administrators. (4-4-13)

d. Is facilitated by well-prepared school administrators, coaches, mentors, master teachers, lead teachers, or third-party providers under contract with the State Department of Education, school district, or charter school, and supported by external research, expertise, or resources. (4-4-13)

e. Fosters a collective responsibility by educators within the school for improved student performance and develops a professional learning community. (4-4-13)

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

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

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

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

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

19. Skill Certificate. Portable, industry-recognized credential that certifies the holder has demonstrated competency on a core set of performance standards related to an occupational cluster area. Serving as a signal of skill

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mastery at benchmark levels, skill certificates may assist students in finding work within their community, state, or elsewhere. A National Skills Standards Board is presently charged with issuing skill voluntary standards in selected occupations based on the result of research and development work completed by twenty-two (2) contractors. (4-5-00)

20. Standards. Statements about what is valued in a given field, such as English language arts, and/or descriptions of what is considered quality work. See content standards, assessment standards, and achievement standards. (4-2-08)

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

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

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

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

25. Synchronous Course. A course in which the teacher and students interact at the same time. May be applied to both traditional and technology based courses. (3-29-12)

009. DEFINITIONS T - Z.

01. ~~Teeh-Prep~~ Technical Competency Credit. ~~Teeh-Prep~~ Technical competency credit is a sequenced program of study that allows secondary students to document proficiency in the skills and abilities they develop in approved high school professional-technical programs to be evaluated for postsecondary transcription at a later date. combines at least two (2) years of secondary and two (2) years of postsecondary education. It is designed to help students gain academic knowledge and technical skills, and often earn college credit for their secondary coursework. Programs are intended to lead to an associate's degree or a certificate in a specific career field, and ultimately, to high wage, high skill employment or advanced postsecondary training. Technical Competency Credits are awarded for skills and competencies identified as eligible through an agreement with at least one Idaho postsecondary institution. Eligible skills and competencies are included as part of a high school professional-technical program and approved by the postsecondary institution through the agreement in advance to student participation. (4-11-06)()

02. Technology Education. A curriculum for elementary, middle, and senior high schools that integrates learning about technology (e.g., transportation, materials, communication, manufacturing, power and energy, and biotechnology) with problem-solving projects that require students to work in teams. Many technology education classrooms and laboratories are well equipped with computers, basic hand tools, simple robots, electronic devises, and other resources found in most communities today. (4-5-00)

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03. Total Quality Management. A systematic approach to standardizing and increasing the efficiency of internal systems and processes, whether in a business or a school, using statistical and management tools for continuous improvement. Emphasis is on documenting effective processes, committing to meet customers' needs and sharing decision making. (3-15-02)

04. Transferable Skills. Skills that are inter-changeable among different jobs and workplaces. For example, the ability to handle cash is a skill one could use as both a restaurant cashier and a bank teller. The ability to problem solve or work as a team member is transferable among most jobs and workplaces. (4-11-06)

05. 2+2 or 4+2. A planned, streamlined sequence of academic and professional-technical courses which eliminates redundancies between high school and community college curricula; 2+2 is high school years eleven (11) and twelve (12) and community college years thirteen (13) and fourteen (14); 4+2 is high school years nine (9), ten (10), eleven (11), and twelve (12) and community college years thirteen (13) and fourteen (14). (4-11-06)

06. Unique Student Identifier. A number issued and assigned by the State Department of Education to each student currently enrolled or who will be enrolled in an Idaho local education agency to obtain data. (5-8-09)

07. Writing Process. The many aspects of the complex act of producing written communication; specifically, planning, drafting, revising, editing, and publishing. (4-5-00)

08. Word Recognition. (4-5-00)

a. The quick and easy identification of the form, pronunciation, and appropriate meaning of a word previously met in print or writing; (4-5-00)

b. The process of determining the pronunciation and some degree of meaning of a word in written or printed form. (4-5-00)

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UNIVERSITY OF IDAHO

SUBJECT

Proposed Rule – IDAPA 08.05.01, Rules Governing Seed and Plant Certification.

REFERENCE

May 14, 2014	Board approval of seed certification standards and temporary and proposed rule, IDAPA 08.05.01, Rules Governing Seed and Plant Certification - as presented.
August 14, 2014	Board approval of pending rule, IDAPA 08.05.01.
April 16, 2015	Board approval of amended seed certification standards.
May 20, 2015	Board approval of temporary rule amending seed certification standards.

APPLICABLE STATUTE, RULE, OR POLICY

Title 22 Chapter 15, specifically Sections 22-1504 and 22-1505, Idaho Code.
Idaho Administrative Code, IDAPA 08.05.01 Rules Governing Seed and Plant Certification.

BACKGROUND/DISCUSSION

During the 2014 calendar year the University of Idaho and the Board took action to address compliance within statutory requirements related to certification of seeds, tubers, plants and plant parts in the state of Idaho, as contained in the Seed and Plant Certification Act of 1959 (Idaho Code Title 22 Chapter 15). The Board's action entailed incorporating into Board rules, by reference, the existing published Standards for Certification of the Idaho Crop Improvement Association, Inc. (ICIA). These existing published standards were created through a long established process involving the ICIA Board working in conjunction with committees for the various seed crops, composed of individuals representing the seed growers and processors, to create and then continuously update the standards. Standards and any revisions to existing standards are then presented to the Foundation Seed Stock Committee within the Agriculture Experiment Station at the University of Idaho for approval and then presented for approval by the University's Director of the Agriculture Experiment Station.

In 2014, the ICIA standards were incorporated into Board rule exactly as they were published by the ICIA and available to the public through the ICIA web-site. This action brought the standards into compliance with Idaho Code Sections 22-1504 and 22-1505 (which require promulgation of the seed certification standards under the Idaho Administrative Procedures Act (IDAPA) process), and did so in a fashion that did not disrupt the crop seed industry which had been operating under the existing standards for over 50 years. This was accomplished by the Board under a temporary and proposed rule such that effective with the initial approval of the Board in May

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2014, the seed certification program was in compliance with the IDAPA rule requirements.

Following the incorporation of the rules into Administrative Rule, the ICIA reviewed its published standards and determined that a significant portion of the materials published on the website fall outside of the standards and are more accurately defined as processes. To address this, ICIA has created separate documents each for the actual standards and for the processes that are used for establishing whether the standards are met for a particular crop. The Board approved the amended standards at the April 15-16, 2015 Board meeting and approved a temporary rule at the May 20, 2015 Special Board meeting incorporating those standards by reference into IDAPA 08.02.05. The University of Idaho is now asking the Board to approve those same standards into a proposed rule.

IMPACT

Approval of the amendment as a proposed rule will allow the rule to move forward through the rulemaking process, making the changes permanent.

ATTACHMENTS

Attachment 1 – Proposed Rule – IDAPA 08.05.01	Page 3
Attachment 2 –Standards for Seed and Plant Certification	Page 6

STAFF COMMENTS AND RECOMMENDATIONS

The rule was originally run as a temporary rule to allow for the updated standards to take effect immediately and allow the ICIA to go through their fee setting process to determine if there would be any changes to the fees that are also a part of IDAPA 08.05.01. The ICIA has completed their fee setting process and has determined there would be no increase in their fees this year.

Staff recommends approval.

BOARD ACTION

I move to approve the proposed rule amendment to IDAPA 08.05.01, as presented in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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IDAPA 08
TITLE 05
CHAPTER 01

08.05.01 - RULES GOVERNING SEED AND PLANT CERTIFICATION

1. LEGAL AUTHORITY.

This chapter is adopted under the authority of Title 22, Chapter 15, Idaho Code. (4-6-15)

2. TITLE AND SCOPE.

1. Title. The title of this chapter is IDAPA 08.05.01, "Rules Governing Seed and Plant Certification," by Idaho Crop Improvement Association, Inc. (4-6-15)

2. Scope. These rules shall govern the standards and procedures for the certification of seeds, tubers, plants, or plant parts in the state of Idaho by the Regents of the University of Idaho through the Idaho Agricultural Experiment Station in the College of Agricultural and Life Sciences and its duly authorized agent, Idaho Crop Improvement Association, Inc., as an agent and instrumentality and servant of the State. (4-6-15)

3. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, any written interpretations of the rule of this chapter will be made available at the Idaho State Board of Education office. (4-6-15)

4. ADMINISTRATIVE APPEAL.

There is no provision for administrative appeals before the Board under this chapter. Hearing and appeal rights are set forth in Title 67, Chapter 52, Idaho Code. (4-6-15)

5. INCORPORATION BY REFERENCE.

The following documents are incorporated by reference into this rule. The Idaho Seed and Plant Certification Standards are adopted by the Idaho Crop Improvement Association. Copies of the following documents may be obtained from the Idaho Crop Improvement Association, Inc. website at <http://www.idahocrop.com/index.aspx>, or from the Idaho Crop Improvement Association, Inc. office. (4-6-15)

1. ~~General Seed Certification Standards~~ Prohibited Noxious Seed in Idaho Certified Seed. The ~~standard for Prohibited Noxious Seed in Idaho Certified Seed~~ ~~General Seed Certification Standards~~ of the Idaho Crop Improvement Association, Inc., as last modified and approved on ~~February 25, 2014~~ March 17, 2015. (4-6-15)

2. Seed Certification Fee & Application Schedule. The Seed Certification Fee and Application Schedule of the Idaho Crop Improvement Association, Inc., as last modified and approved on July 11, 2014. (4-6-15)

3. ~~Interagency Certification Regulations and Procedures.~~ The ~~Interagency Certification Regulations and Procedures of the Idaho Crop Improvement Association, Inc., as last modified and approved on April 6, 2006.~~ (4-6-15)

4.3. Idaho Alfalfa Certification ~~Regulations in Idaho~~ Standards. The Idaho Alfalfa Certification ~~Regulations Standards~~ adopted by the Idaho Crop Improvement Association, Inc., as last modified and approved on ~~April 6, 2006~~ March 17, 2015. (4-6-15)

5.4. Idaho Beans Certification ~~Regulations in Idaho~~ Standards. The Idaho Beans Certification ~~Regulations Standards~~ adopted by the Idaho Crop Improvement Association, Inc., as last modified and approved on ~~December 12, 2009~~ March 17, 2015. (4-6-15)

6.5. Idaho Red Clover Certification ~~Regulations in Idaho~~ Standards. The Idaho Red Clover Certification ~~Regulations Standards~~ adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on ~~April 6, 2006~~ March 17, 2015. (4-6-15)

7.6. Idaho Chickpea (~~Garbanzo Beans~~) Certification ~~Regulations in Idaho~~ Standards. The Idaho Chickpea (~~Garbanzo Beans~~) Certification ~~Regulations Standards~~ adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on ~~April 6, 2006~~ March 17, 2015. (4-6-15)

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8.7. Idaho Grain Certification Regulations in Idaho Standards. The Idaho Grain Certification Regulations Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 10, 2014 March 17, 2015. (4-6-15)

9.8. Idaho Grass Seed Certification Regulations in Idaho Standards. The Idaho Grass Seed Certification Regulations Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 10, 2014 March 17, 2015. (4-6-15)

10.9. Canola, Mustard and Idaho Rapeseed/Canola/Mustard Certification Regulations in Idaho Standards. The Idaho Rapeseed/Canola/Mustard and Rapeseed Certification Standards Regulations adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on January 29, 2014 March 17, 2015. (4-6-15)

11.10. Rules of Certification for Seed Idaho Potatoes Certification Standards in Idaho. The Rules of Certification for Seed Potatoes Idaho Potato Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on April 21, 2014 March 17, 2015. (4-6-15)

12.11. Pre-Variety Germplasm Certification Regulations in Idaho. The Pre-variety Germplasm Certification Regulations adopted by the Idaho Crop Improvement Association, Inc., as amended and approved April 11, 2014 March 17, 2015. (4-6-15)

12. Miscellaneous Crop Idaho Lentil Certification Regulations in Idaho Standards. The Miscellaneous Crop Idaho Lentil Certification Regulations Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved April 6, 2006 March 17, 2015. (T)

13. Idaho Blue Flax Certification Standards. The Idaho Blue Flax Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (T)

14. Idaho Milkvech Certification Standards. The Idaho Milkvech Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (T)

15. Idaho Pea Certification Standards. The Idaho Pea Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (T)

16. Idaho Sanfoin Certification Standards. The Idaho Sanfoin Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (T)

17. Idaho Birdsfoot Trefoil Certification Standards. The Idaho Birdsfoot Trefoil Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (T)

18. Idaho White Clover Certification Standards. The Idaho White Clover Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (T)

19. Idaho Penstemon Certification Standards. The Idaho Penstemon Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (T)

13. _____ (4-6-15)

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

1. Physical Addresses. The main office of the Idaho Crop Improvement Association, Inc. is located at 429 SW 5th Avenue, Suite 105, Meridian, ID 83642. The branch offices are located at: 1680 Foote Drive, Idaho Falls, ID 83402; 5920 N Government Way, Suite 10, Dalton Gardens, ID 83815; 2283 Wright Avenue, Suite C, Twin Falls, ID 83303. (4-6-15)

2. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except

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holidays. These office hours apply to each branch.

(4-6-15)

3. Mailing Addresses. The mailing address for the Idaho Crop Improvement Association, Inc. main office is 429 SW 5th Avenue, Suite 105, Meridian, ID 83642. The branch offices mailing addresses are: 1680 Foote Drive, Idaho Falls, ID 83402; 5920 N Government Way, Suite 10, Dalton Gardens, ID 83815; 2283 Wright Avenue, Suite C, Twin Falls, ID 83303.

(4-6-15)

4. Telephone Numbers. The telephone number for the Idaho Crop Improvement Association, Inc. main office is (208) 884-8225. The telephone numbers for the branches are: Idaho Falls (208) 522-9198; Dalton Gardens (208) 762-5300; Twin Falls (208) 733-2468.

(4-6-15)

5. Fax Numbers. The fax number for the Idaho Crop Improvement Association Inc. main office is (208) 884-4201. The fax numbers for the branches are: Idaho Falls (208) 529-4358; Dalton Gardens (208) 762-5335; Twin Falls (208) 733-4803.

(4-6-15)

6. PUBLIC RECORDS ACT COMPLIANCE.

These rules are public records available for inspection and copying at the Idaho Crop Improvement Association Inc., and the State Law Library.

(4-6-15)

7. -- 009. (RESERVED)

10. DEFINITIONS.

In addition to the definitions set forth in Title 22, Chapter 15, Idaho Code, the definitions found in the standards of the Idaho Crop Improvement Association, Inc., incorporated by reference in Section 004 of these rules, shall apply to these rules.

(4-6-15)

11. (RESERVED)

12. APPLICABILITY.

These rules shall apply to all seeds, tubers, plants, or plant parts located in, imported into, or exported from the state

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SUBJECT

Proposed Rule IDAPA 47.01.01 – Division of Vocational Rehabilitation

REFERENCE

November 2012	Board approved pending rule clarify language regarding the Divisions of Vocation Rehabilitation customer appeal and mediation process as well as technical changes.
August 2012	Board approved pending rule clarify language regarding the Divisions of Vocation Rehabilitation customer appeal and mediation process as well as technical changes.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative Code, IDAPA 47.01.01

BACKGROUND/DISCUSSION

The Idaho Division of Vocational Rehabilitation (IDVR) Field Service Manual contains internal processes to IDVR as well as eligibility and program requirements for the people and agencies IDVR serves. Currently this manual is incorporated by reference into Idaho Administrative Code, IDAPA 47.01.01. When a document is incorporated by reference into administrative rule it has the force and effect of law and can only be changed through Board approval and the rulemaking process. IDVR has identified a number of processes in the Field Service Manual that belong, more appropriately, in a policies and procedures manual of the agency.

IDVR has removed these procedures from the Field Service Manual and is requesting Board approval of the amendments as well as Board approval of a proposed administrative rule incorporating the updated Field Service Manual into IDAPA 47.01.01.

IMPACT

The proposed changes incorporate the updated Field Service Manual into rule and remove unnecessary agency procedures from the manual.

ATTACHMENTS

Attachment 1 – Proposed Rule Changes to IDAPA 47.01.01	Page 3
Attachment 2 – Field Services Policy Manual – Redlined	Page 9

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.

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Staff recommends approval.

BOARD ACTION

I move to approve the Division of Vocational Rehabilitations Field Service Manual as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

AND

I move to approve the Proposed Rule changes to IDAPA 47.01.01 as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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IDAPA 47
TITLE 01
CHAPTER 01

IDAPA 47 - DIVISION OF VOCATIONAL REHABILITATION

47.01.01 - RULES OF THE IDAHO DIVISION OF VOCATIONAL REHABILITATION

000. LEGAL AUTHORITY.

Section 33-2301, Idaho Code and the Rehabilitation Act of 1973 and all subsequent Amendments. (3-30-01)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is IDAPA 47.01.01, “Rules of the Idaho Division of Vocational Rehabilitation.” (5-3-03)

02. Scope. The chapter has the following scope: To streamline the existing rules and to implement program changes necessitated by the 1998 Amendments of the Rehabilitation Act of 1973. (4-5-00)

002. WRITTEN INTERPRETATIONS.

Written interpretations to these rules in the form of the explanatory comments accompanying the notice of proposed rulemaking are available from the Idaho Division of Vocational Rehabilitation, 650 W. State Street, Boise, Idaho 83720. Other agency guidance documents, as well as agency policy statements or interpretations not rising to the legal effect of a rule, if any, are available for inspection and replication at the agency Central Office during regular business hours. (2-17-09)

003. ADMINISTRATIVE APPEALS.

Administrative appeals are governed by Section 100 of these rules in accordance with 34 CFR Part 361.57. (2-17-09)

004. INCORPORATION BY REFERENCE.

01. General. Unless provided otherwise, any reference in these rules to any document identified in Subsection 004 shall constitute the full incorporation into these rules of that document for the purposes of the reference, including any notes and appendices therein. The term “documents” includes codes, standards or rules which have been adopted by an agency of the state or of the United States or by any nationally recognized organization or association. (3-30-01)

02. Documents Incorporated by Reference. The following documents are incorporated by reference into these rules: (3-30-01)

a. All federal publications through the [Rehabilitation Services Administration](#). (2-17-09)

b. Idaho Division of Vocational Rehabilitation Field Services Policy Manual, ~~November 2012~~[August 13, 2015](#), available for review on the website at <http://www.vr.idaho.gov/>. (7-1-13)

c. Workforce Investment Act, Public Law 105-220. (5-3-03)

d. Federal Register, Department of Education, 34 CFR Part 361- 363. (2-17-09)

e. The Rehabilitation Act of 1973, as amended. (2-17-09)

03. Availability of Reference Material. Copies of the documents incorporated by reference into these rules are available at the Central Office, Idaho Division of Vocational Rehabilitation, 650 W. State Street, Room 150,

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Boise, Idaho 83720, (208) 334-3390 or through access to the internet URL addresses outlined in Subsection 004.02. (2-17-09)

005. -- 009. (RESERVED)

010. DEFINITIONS.

- 01. Authorization to Purchase.** A purchase order issued on behalf of the Division. (5-3-03)
- 02. CFR.** Code of Federal Regulations. (7-1-93)
- 03. Customer.** Any individual who has applied for or is eligible for Vocational Rehabilitation services. (7-1-13)
- 04. Designated State Agency.** The Idaho State Board of Education. (5-3-03)
- 05. Designated State Unit.** The Idaho Division of Vocational Rehabilitation. (7-1-93)
- 06. IDVR.** The Idaho Division of Vocational Rehabilitation. (4-5-00)
- 07. IPE.** Individualized Plan for Employment. (4-5-00)
- 08. Most Significant Disability (MSD).** Meets the criteria as Significant Disability as found in the Rehabilitation Act of 1973, as amended, and defined in 34CFR Part 361.5 (b) 30 and is further defined as: (2-17-09)
- a.** Having a severe physical, mental, cognitive or sensory impairment which seriously limits three (3) or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance or work skills) in terms of an employment outcome; and (7-1-13)
- b.** Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time. (3-20-04)
- 09. Method of Written Notification.** The written notification of findings and conclusions arising from an Informal Dispute Resolution, Mediation, Fair Hearing, shall be served to the customer via the U.S. Postal Service. (7-1-13)
- 10. PM.** Policy Memorandum. (5-3-03)
- 11. RSA.** Rehabilitation Services Administration, U.S. Department of Education. (5-3-03)
- 12. State Administrator.** The Chief Executive Officer of the Idaho Division of Vocational Rehabilitation. (4-5-00)
- 13. VRC.** Vocational Rehabilitation Counselor. (5-3-03)

011. -- 099. (RESERVED)

100. CUSTOMER APPEALS.

In accordance with 34 CFR Part 361.57, the customer appeals process is governed by Section 100 through 103 of these rules and is outlined in the Division's agency Field Services Manual on the website at <http://www.vr.idaho.gov/> that is incorporated by reference into these rules in Subsection 004.02.b. (7-1-13)

101. INFORMAL REVIEW PROCESS.

The informal review process is an option available to the customer as a proven means likely to result in a timely resolution of disagreements. An individual must request an informal review within twenty-one (21) calendar days of the agency notice regarding the provision or denial of services that are in question. The request must be in writing to the regional manager. The request must describe the complaint. In holding an informal review, the regional manager will function as the administrative review officer. At the customer's request another regional manager may be

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substituted. The reviewer will be responsible for: (7-1-13)

01. Advising the Customer. Advising the customer of his right to have a representative present and encouraging the customer to use the services of Client Assistance Program (CAP). (7-1-13)

02. Conducting the Review. Conducting the review within fifteen (15) calendar days following written receipt of a request for such a hearing. Unless an extension is agreed upon by both parties. (7-1-13)

03. Documented Effort. When the customer makes a documented effort to utilize CAP or another advocate to resolve the dissatisfaction, the time allowed for conducting an informal review will be extended accordingly. (7-1-13)

04. Review Location. Holding the review at a time and place convenient to the customer, generally at the local IDVR branch office. (7-1-13)

05. Communication Method. Providing communication methods for those customers who have a sensory impairment. An interpreter will be provided for those customers who cannot communicate in English. (7-1-13)

06. Transportation. If needed assure that the customer is provided transportation to and from the review site. (7-1-13)

07. Written Proposal. The informal review officer (regional manager) will attempt to resolve the matter to the satisfaction of the customer, developing a written proposal with the customer at the conclusion of the appeal process. The results are binding for the agency unless the proposal is not permitted by law. The customer may reject the proposal and request a fair hearing within ten (10) calendar days of the informal review proposal or sixty (60) calendar days of the original agency decision, whichever comes later. (7-1-13)

102. MEDIATION.

Mediation is an alternate dispute resolution method available to applicants and eligible customers who have initiated the formal appeals process. (7-1-13)

01. Time Line. A customer must request mediation within twenty (20) calendar days of the original decision or ten (10) calendar days following the written proposal from the informal review. Mediation is available to a customer when and informal review has not resolved the dispute to the satisfaction of the customer. (7-1-13)

02. Written Request. Requests for mediation must be made in writing to the chief of field services and must clearly state the reason for dissatisfaction with the decision or results of the informal review. The chief of field services will represent IDVR or assign a member of the administrative or supervisory staff who has not participated in the agency action that created the customer's dissatisfaction. (7-1-13)

03. Participation. Participation in the mediation process is voluntary on the part of the customer and on the part of IDVR. Either party may reject mediation as an alternate dispute resolution method. Once mediation has been accepted as an alternate dispute resolution method, either party may terminate the mediation process. (7-1-13)

04. Fair Hearing. Mediation may not be used to deny or delay the customer's right to pursue a fair hearing. Should the customer and/or designated representative select mediation in lieu of a fair hearing the option for a fair hearing will be extended to allow the results of the mediation to be established. Once the final results of the mediation are determined, the customer retains the right to request a fair hearing. (7-1-13)

05. Mediator. All mediation is conducted by a qualified and impartial mediator who is selected randomly from a list of mediators maintained by IDVR. (7-1-13)

06. Confidentiality. Mediation discussions are confidential and may not be used as evidence in a fair hearing. A confidentiality agreement will be signed by both parties at the beginning of the mediation process. (7-1-13)

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07. Mediation Agreement. The mediator will develop a written mediation agreement if an agreement between the parties is reached. The agreement must be signed by the customer, the mediator, and the IDVR designated representative. (7-1-13)

08. Cost. Cost of mediation is paid by IDVR. IDVR is not required to pay for any cost related to the representation of a customer. (7-1-13)

103. FAIR HEARING PROCESS.

The fair hearing process is an option available to any customer who is dissatisfied with any determination made by personnel of IDVR that affects the provisions of vocational rehabilitation services. A customer may request a fair hearing immediately without having to go through any other appeal steps. A customer may request, or if appropriate may request through the customer's representative, a timely review of the determination. Such request must be made within sixty (60) days of the IDVR decision resulting in the initial disagreement or within ten (10) calendar days of the conclusion of the informal review or mediation process, whichever is later. The fair hearing process shall include a fair hearing conducted by a fair hearing officer (FHO). (7-1-13)

01. Procedure. A fair hearing is a procedure whereby a customer who is dissatisfied with any determination concerning the provision or denial of IDVR services or the findings of the informal review or mediation may seek a determination of agency action before a fair hearing officer. (7-1-13)

02. Written Request. A request for a fair hearing must be sent in writing to the chief of field services and clearly state the customer's dissatisfaction with the agency's decision. (7-1-13)

03. Timeline. The hearing shall be conducted within sixty (60) calendar days of receipt of the individual's request for review, unless informal resolution is achieved prior to the 60th day, or the parties agree to a specific extension of time. (3-29-10)

04. Fair Hearing Officers. A list of fair hearing officers shall be identified jointly by the Administrator of IDVR and the State Rehabilitation Council. The fair hearing officer shall be selected from the list by the administrator of IDVR and the customer. (7-1-13)

05. Written Report. The fair hearing officer shall issue a written report of the findings and decision of the hearing within thirty (30) calendar days of the completion of the hearing. (7-1-13)

06. Decision. The decision of the fair hearing officer shall be considered final by the agency. (7-1-13)

07. Dispute. Any party who disagrees with the findings and decisions of a fair hearing officer shall have the right to bring a civil action with respect to the matter in dispute. The action may be brought in any state court of competent jurisdiction or in a district court of the United States of competent jurisdiction without regard to the amount in controversy. (7-1-13)

104. -- 199. (RESERVED)

200. ORDER OF SELECTION.

The following order of selection will be used if the Idaho Division of Vocational Rehabilitation finds that it cannot serve all eligible customers due to a lack of either personnel and/or financial resources. The priority listings progress downward with priority one (Priority Number 1) being the most restrictive and priority four (Priority Number 4) being the least restrictive. (7-1-13)

01. Priority Number 1. At the time that a decision to move to an order of selection is made, it is determined that only those consumers who already have an existing individualized plan for employment (IPE) will continue to be served. (5-3-03)

02. Priority Number 2. At the time that a decision to move to an order of selection is made, it is determined that only those customers in Priority Number 1 above and current and future, otherwise eligible, customers rated to this or a more restrictive priority can be served. Customers meeting this priority rating are those customers

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with most significant disabilities.

(7-1-13)

03. Priority Number 3. At the time that a decision to move to an order of selection is made, it is determined that only those customers in Priorities Numbers 1 and 2 above and current and future, otherwise eligible, customers rated to this or a more restrictive priority can be served. Customers meeting this priority rating are those customers with significant disabilities. (7-1-13)

04. Priority Number 4. All eligible customers for Vocational Rehabilitation services (no order of selection in place). (7-1-13)

201. -- 299. (RESERVED)

300. CUSTOMER SERVICES.

01. Provision of Purchased Services Contingent Upon Financial Need of the Customer. The Idaho Division of Vocational Rehabilitation will apply a financial needs assessment. Financial need will not be a consideration in the determination of eligibility for Vocational Rehabilitation, but will be a consideration in allocating the cost of VR services, with some exceptions. (7-1-13)

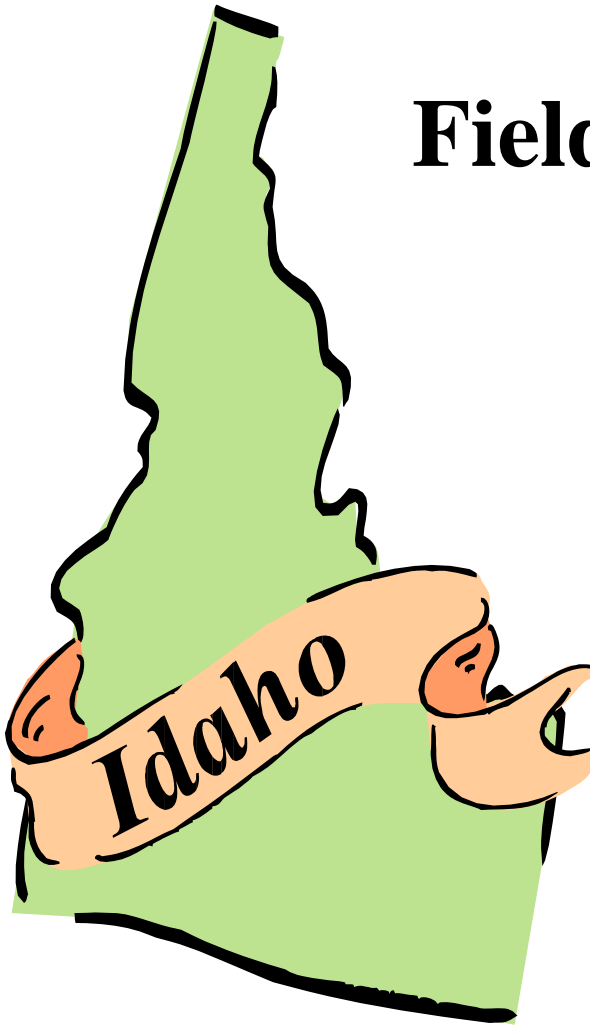
02. Authorization to Purchase. The Division requires that when purchasing services from a vendor, an authorization must be issued prior to, or on, the beginning date of service. If services are provided without a Division approved authorization to purchase, the Division reserves the right to not honor the vendor's invoice. (5-3-03)

03. General Provisions. Idaho Division of Vocational Rehabilitation will only pay for services that contribute to the determination of eligibility or to achieve an employment outcome. (3-20-04)

04. Residency. There is no duration of residency requirement. The customer must be living in the state of Idaho and legally be able to work within the United States (i.e., non U.S. citizens must show they are legally able to work within the United States). (7-1-13)

05. Provision of CRP (Community Rehabilitation Program) Services. IDVR will purchase vocational services from CRPs that are accredited by either Commission Accreditation Rehabilitation Facilities (CARF), the Rehabilitation Accreditation Commission, or Rehabilitation Services Accreditation System (RSAS). In conjunction with the customer, the qualified professional Vocational Rehabilitation Counselor, will determine which CRP Services, if any, are required for the customer to achieve an employment outcome. (7-1-13)

301. -- 999. (RESERVED)



Field Services Policy Manual

Draft August 13, 2015~~Approved November 19, 2012~~

Effective July 1, 2016~~July 1, 2013~~

IDAHO DIVISION OF VOCATIONAL REHABILITATION
FIELD SERVICES POLICY MANUAL (~~update to index 10/2012~~)

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SECTION 1.0 – PURPOSE AND GENERAL REQUIREMENTS OF THE IDAHO VOCATIONAL REHABILITATION PARTICIPANT SERVICES PROGRAM

The Idaho Division of Vocational Rehabilitation (IDVR) program assists eligible persons with disabilities to prepare for and achieve an employment outcome. “Employment outcome” means entering or retaining full-time, or if appropriate, part-time competitive employment in the integrated labor market to the greatest extent possible. It also means supported employment; or other types of employment, including self-employment, consistent with self-sustaining activity for wages or compensation consistent with the customer’s strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice.

Competitive employment is work performed in the integrated labor market in which the customer is compensated at or above minimum wage, but not less than the customary wage and benefits paid for the same or similar work performed by customers who do not have a disability.

The IDVR is a statewide program that develops and utilizes partnerships for effective service delivery. Partnerships vary, but include those programs authorized under the Rehabilitation Act, as amended, -such as Independent Living Centers and Tribal Vocational Rehabilitation Programs. Programs authorized under the Workforce Innovation and Opportunity Act (WIOA)~~Investment Act (WIA)~~ are utilized to the maximum extent possible as allowed in Section 188 of the Act. It is understood that each program is unique and offers unique cultural and professional expertise. Cooperative Agreements with respective programs are encouraged and should be referred to for local understanding. Staff is encouraged to understand these agreements and provide information, referral and services as appropriate to the needs of the customers they serve. Consult with the Regional ManagerRM for access to pertinent cooperative agreements.

Vocational Rehabilitation is based upon an Individualized Plan for~~fore~~ Employment (IPE) that is oriented to the achievement of an employment outcome. Services provided to persons with disabilities must be documented as necessary to overcome related barriers to employment and must be provided as cost effectively as possible.

The Division strives to maintain a highly accountable program to all customers.

IDVR provides, as appropriate to the vocational rehabilitation needs of each eligible customer, goods or services necessary to enable the customer to achieve an employment outcome.

EXCEPTION TO POLICY

~~VR Counselor~~VRCs are delegated substantial decision and purchasing authority based upon the caps outlined in the Payment Policy. Exceptions to policy require the approval of a ~~VR~~ Regional ManagerRM and the notification and consultation of the Chief of Field Services. Documentation of the ~~VR Regional ManagerRM~~’s approval must be noted in the case file.

Purchases in excess of delegated authority are reviewed by the Regional ManagerRM and approved by the Chief of Field Services or designee. Documentation of the approval of purchases in excess must be noted in case file.

1.1 Legal Citations

The IDVR program is operated in compliance with the Federal Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA) enacted on July 22, 2014. The legal authorities for the policies contained in the Vocational Rehabilitation Services Policy Manual are: Proposed Rules to Title 34 CFR Parts 361, 363, and 397 issued April 16, 2015~~January 17, 2001~~ in the Federal Register implementing the Rehabilitation Act Amendments of 1998; and Title 67, Chapter 53 of the Idaho code related to provisional appointments in state government for those with severe disabilities.

1.2 Program Requirements

Eligibility is determined without regard to sex, race, creed, age, color, national origin or type of disability.

There is no duration of residency requirement. The customer must be living in the State of Idaho and legally able to work in the United States.

IDVR will establish and maintain a record of services for each customer for, and recipient of, vocational rehabilitation services, which includes data necessary to comply with IDVR agency and Federal Rehabilitation Service Administration (RSA) requirements.

In the purchase of goods or services for persons with disabilities, IDVR complies with its procurement policy, Purchase of Services and Supplies for customer use in the Vocational Rehabilitation Program.

~~Case service expenditures require written authorization prior to the initiation of the service or purchase of any goods. Oral authorizations by a Regional Manager RM or above are permitted in emergency^[TP1] situations, but must be confirmed promptly in writing and forwarded to the provider. Emergency oral authorizations are to be followed up with a written authorization within three (3) business days.~~

Goods and services will be provided subject to the guidelines of ~~the~~ Order of Selection (Section 14.0).

When appropriate, counselors shall refer customers with disabilities to receive services from other agencies and organizations.

Each applicant or eligible customer being provided vocational rehabilitation services shall be informed of the procedure for requesting a review and a determination of agency action concerning the furnishing or denial of services, including the names and addresses of individuals with whom appeals may be filed and the availability of the Client Assistance Program (CAP).

1.3 Provider Standards

IDVR requires service providers:

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To be licensed by the Division of Occupational Licensing, the U.S. Department of Education Office of Post-Secondary Education, or a professional certifying body.

OR

IDVR requires service providers that offer vocational rehabilitation services to apply to be an approved service provider with the Division. CRPs must be accredited based on IDAPA rules.

OR

~~IDVR Counselor~~VRCs may occasionally approve the purchase of services from non-license providers such as, educational tutoring, foreign language interpreters, or other services to support the rehabilitation needs of a customer.

1.4 Selection of Service Providers

Providers are selected by a combination of the customer's informed choice and State procurement rules. ~~VR counselor~~VRCs will assist the customer in acquiring information necessary to make an informed choice regarding the selection of service provider.

1.5 Definitions:

(Reference Federal Register / Vol. 66, No. 11 / Wednesday, January 17, 2001 / Rules and Regulation)

- a. ***Applicant*** means, customer who submits an application for vocational rehabilitation services in accordance with Sec. 361.41(b) (2). (Authority: Section 12(c) of the Act; 29 U.S.C 709 (c))
- b. ***Assessment for determining eligibility and vocational rehabilitation needs*** means, as appropriate in each case, (i)(A) A review of existing data—(1) To determine if a customer is eligible for vocational rehabilitation services; and (2) To assign priority for an order of selection described in Sec. 361.36 in the States that use an order of selection; and (B) To the extent necessary, the provision of appropriate assessment activities to obtain necessary additional data to make the eligibility determination and assignment; (ii) To the extent additional data are necessary to make a determination of the employment outcomes and the nature and scope of vocational rehabilitation services to be included in the individualized plan for employment for an eligible customer, a comprehensive assessment to determine the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, including the need for support employment, of the eligible customer. This comprehensive assessment – (A) is limited to information that is necessary to identify the rehabilitation needs of the customer and to develop the individualized plan of employment of the eligible customer; (B) Uses as a primary source of information, to the maximum extent possible and appropriate and in accordance with confidentiality requirements –
 - 1) Existing information obtained for the purposes of determining the eligibility of the customer and assigning priority for an order of selection described in Sec. 361.36 for the customer; and

- 2) Information that can be provided by the customer and, if appropriate, by the family of the customer; (c) May include, to the degree needed to make such a determination, an assessment of the personality, interests, interpersonal skills, intelligence and related functional capacities, educational achievements, work experience, vocational aptitudes, personal and social adjustments, and employment opportunities of the customer and the medical, psychiatric, psychological, and other pertinent vocational, educational, cultural, social, recreational, and environmental factors that ~~effect~~affect the employment and rehabilitation needs of the customer; and (D) May include, to the degree needed an appraisal of the patterns of work behavior of the customer and services needed for the customer to acquire occupational skills and to develop work attitudes, work habits, work tolerance, and social and behavior patterns necessary for successful job performance, including the use of work in real job situations to assess and develop the capacities of the customer to perform adequately in a work environment; (iii) Referral, for the provision of rehabilitation technology services to the customer, to assess and develop the capacities of the customer to perform in a work environment; and (iv) An exploration of the customer's abilities, capabilities, and capacity to perform in work situations, which must be assessed periodically during trial work experience, including experiences in which the customer is provided appropriate supports of training.
(Authority: Section 7(2) of the Act; 29 U.S.C. 705(2))
- c. **Assistive technology device** means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a customer with a disability.
(Authority: Section 7(3) of the Act; 29 U.S.C. 705(3))
- d. **Assistive technology service** means any service that directly assists a customer with a disability in the selection, acquisition, or use of an assistive technology device, including: (i) The evaluation of needs of a customer with a disability, including a functional evaluation of the customer in his or her customary environment; (ii) Purchasing, leasing, or otherwise providing for the acquisition, by a customer with a disability, of an assistive technology device; (iii) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices; (iv) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs; (v) Training or technical assistance for a customer with a disability or, if appropriate, the family members, guardians, advocates, or authorized representatives of the customer; and (vi) Training or technical assistance for professionals (including customers providing education and rehabilitation services), employers, or others who provide services to, employ, or are otherwise substantially involved in the major life functions of customers with disabilities, to the extent that training or technical assistance is necessary to the achievement of an employment outcome by a customer with a disability. (Authority: Sections 7(4) and 12(c) of the Act; 29 U.S.C. 705(4) and 709 (c))
- e. **Community rehabilitation program.** (i) Community rehabilitation program means a program that provides directly or facilitates the provision of one or more of the following vocational rehabilitation services to customers with disabilities to enable those customers

to maximize their opportunities for employment, including career advancement: (A) Medical, psychiatric, psychological, social, and vocational services that are provided under one management; (B) Testing, fitting, or training in the use of prosthetic and orthotic devices; (C) Recreational therapy; (D) Physical and occupational therapy; (E) Speech, language, and hearing therapy (F) Psychiatric, psychological, and social services, including positive behavior management;. (G) Assessment for determining eligibility and vocational rehabilitation needs; (H) Rehabilitation Evaluation or control of specific disabilities; (K) Orientation and mobility services for customers who are blind; (L) Extended employment; (M) Psychosocial rehabilitation services; (N) Supported employment services and extended services; (O) Services to family members if necessary to enable the applicant or eligible customer to achieve an employment outcome; (P) Personal assistance services; (Q) Services similar to the services described in paragraphs (A) through (P) of this definition. (ii) For the purposes of this definition, the word program means an agency, organization, or institution, or unit of an agency, organization, or institution, that provides directly or facilitates the provision of vocational rehabilitation services as one of its major functions.

- f. **Comparable services and benefits means**, (i) Services and benefits that are (A) Provided or paid for, in whole or in part, by other Federal, State, or local public agencies, by health insurance, or by employee benefits; (B) Available to the customer at the time needed to ensure the progress of the customer toward achieving the employment outcome in the customer's individualized plan for employment in accordance with Sec. 361.53; and (C) Commensurate to the services that the customer would otherwise receive from the designated State vocational rehabilitation agency. (ii) For the purposes of this definition, comparable benefits do not include awards and scholarships based on merit. (Authority: Sections 12 (c) and 101 (a)(8) of the Act; 29 U.S.C. 709 (c) and 721 (a)(8))
- g. **Competitive employment** means work; -(i) in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and (ii) For which a customer is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by customers who are not disabled. (Authority: Sections 7(11) and 12(c) of the Act; 29 U.S.C. 705(11) and 709 (c))
- h. **Employment outcome** means, with respect to a customer, entering or retaining full-time or, if appropriate, part-time competitive employment, as defined in Sec. 361.5 (b)(11), in the integrated labor market, supported employment, or any other type of employment in an integrated setting, including a customer's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. (Authority: Sections 7(11), 12(c), 100(a)(2), and 102 (b)(3)(A) of the Act; 29 U.S.C. 705 (11), 709(c), 720 (a)(2), and 722 (b)(3)(A))
- i. **Employment outcome maintained** means the customer has maintained the employment outcome for an appropriate period of time, but not less than 90 days, necessary to ensure the stability of the employment outcome and the customer no longer needs vocational rehabilitation services.

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- j. **Satisfactory outcome** means at the end of the appropriate period, not less than 90 days, the customer and the vocational counselor consider the employment outcome to be satisfactory and agree that the customer is performing well in the employment.
- k. **Extended services** means ongoing support services and other appropriate services that are needed to support and maintain a customer with a most significant disability in supported employment and that are provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, from funds other than funds received under this part and 34 CFR part 363 after a customer with a most significant disability has made the transition from support provided by the designated State unit. (Authority: Sections 7 (13) and 623 of the Act; 29 U.S.C. 705 (13) and 795i)
- l. **Family member**, for purposes of receiving vocational rehabilitation services in accordance with Sec 361.48(i), means a customer; (i) Who either, (A) Is a relative or guardian of an applicant or eligible customer; or (B) Lives in the same household as an applicant or eligible customer; (ii) Who has a substantial interest in the well-being of that customer; and (iii) Whose receipt of vocational rehabilitation services is necessary to enable the applicant or eligible customer to achieve an employment outcome. (Authority: Sections 12 (c) and 103 (a)(17) of the Act; 29 U.S.C. 709 (c) and 723 (a)(17))
- ~~m. **Homemaker** is recognized as non-competitive gainful work. In order for a household manager^[TP2] to be considered an appropriate vocational objective, the customer must perform a majority of certain work activities within a family unit. These include, but are not limited to: family financial management, cleaning, meal preparation, laundry, mending, childcare, and other household activities. The performance of these responsibilities must positively impact the family's economic circumstances. For example, by rehabilitating a household manager, economic advantage occurs because the family will not have to pay someone else to perform household management tasks.~~
- ~~n.m.~~ **Indian tribe** means any Federal or State Indian tribe, band, Rancheria, pueblo, colony, or community, including any Idaho native village or regional village corporation. (Authority: Section 7 (19)(B) of the Act; 29 U.S.C. 705 (19)(B))
- ~~o.n.~~ **Customer with a disability**, except as provided in Sec. 361.5(b) (29), means a customer (i) Who has a physical or mental impairment; (ii) Whose impairment constitutes or results in a substantial impediment to employment; and (iii) Who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services. (Authority: Sections 7(20)(A) of the Act; 29 U.S.C. 705(20)(A))
- ~~p.o.~~ **Customer's representative** means any representation chosen by a customer or eligible customer, as appropriate, including a parent, guardian, other family member, or advocate, unless a representative has been appointed by a court to represent the customer, in which case the court-appointed representative is the customer's representative. (Authority: Sections 7 (22) and 12 (c) of the Act; 29 U.S.C. 705(22) and 709 (c))
- ~~q.p.~~ **Informed choice** means the process by which customers in the public rehabilitation program make decisions about their vocational goals, the services and service providers necessary to reach those goals, and how those services will be procured. The decision making process takes into account the customer's values, lifestyle, and characteristics, the

availability of resources and alternatives, and general economic conditions. Informed choice is a collaborative process involving the customer and IDVR staff in coordination with other resources as necessary.

Informed Choice Guidelines:

Informed choice does not mean unlimited choice. A customer's choices are limited by several factors.

- The choice must relate to and be necessary to achieving an employment outcome
- The choice must be consistent with the customer's strengths, resources, priorities, abilities, capabilities, needs and interests.
- The choice must be made pursuant to all Federal, State, and IDVR rules related to purchasing and providing services.
- When deciding what goods and services will be provided, the following will be part of the informed choice decision:
 - Cost, accessibility, and duration of potential services;
 - Customer satisfaction with those services to the extent that information relating to customer satisfaction is available;
 - Qualifications of potential service providers;
 - Types of services offered by the potential providers;
 - Degree to which services are provided in integrated settings; and
 - Outcomes achieved by individuals working with service providers, to the extent that such information is available.

r-q. Integrated setting, (i) With respect to the provision of services, means a setting typically found in the community in which applicants or eligible customers interact with non-disabled customers other than non-disabled customers who are providing services to those applicants or eligible customers; (ii) With respect to an employment outcome, means a setting typically found in the community in which applicants or eligible customers interact with non-disabled customers, other than non-disabled customers who are providing services to those applicants or eligible customers, to the same extent that non-disabled customers in comparable positions interact with other persons. (Authority: Sections 12 (c) of the Act; 29 U.S.C. 709 (c))

s-r. Maintenance means monetary support provided to a customer for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the customer and that are necessitated by the customer's participation in an assessment for determining eligibility and vocational rehabilitation needs or the customer's receipt of vocational rehabilitation services under an individualized plan for employment. (Authority: Sections 12 (c) and 103 (a)(7) of the Act; 29 U.S.C. 709 (c) and 723 (a)(7))

t-s. Ongoing support services, as used in the definition of "Supported employment" (i) Means services that are (A) Needed to support and maintain a customer with a most significant disability in supported employment; (B) Identified based on a determination by the designated State unit of the customer's need as specified in an individualized plan for employment; and (C) Furnished by the designated State unit from the time of job placement until transition to extended service, unless post-employment services are provided following transition, and thereafter by one or more extended services providers

throughout the customer's term of employment in a particular job placement or multiple placements if those placements are being provided under a program of transitional employment; (ii) Must include an assessment of employment stability and provision of specific services or the coordination of services at or away from the worksite that are needed to maintain stability bases on; (A) At a minimum, *twice-monthly monitoring at the worksite* of each customer in supported employment; or (B) If under specific circumstances, especially at the request of the customer, the individualized plan for employment provides for *off-site monitoring, twice monthly meetings with the customer*; (iii) Consist of; (A) Any particularized assessment supplementary to the comprehensive assessment of rehabilitation needs described in paragraph (b)(6)(ii) of this section; (B) The provision of skilled job trainers who accompany the customer for intensive job skill training at the work site; (C) Job development and training; (D) Social skills training; (E) Regular observation or supervision of the customer; (F) Follow-up services including: regular contact with the employers, the customers, the parents, family members, guardians, advocates, or authorized representatives of the customers, and other suitable professional and informed advisors, in order to reinforce and stabilize the job placement; (G) Facilitation of natural supports at the worksite; (H) Any other service identified in the scope of vocational rehabilitation services for customers, described in SEC. 361.48; or (I) Any service similar to the foregoing services. (Authority: Sections 7 (27) and 12 (c) of the Act; 29 U.S.C. 705 (27) and 709 (c))

u.t. Personal assistance services means a range of services provided by one or more persons designed to assist a customer with a disability to perform daily living activities on or off the job that the customer would typically perform without assistance if the customer did not have a disability. The services must be designed to increase the customer's control in life and ability to perform everyday activities on or off the job. The services must be necessary to the achievement of an employment outcome and may be provided only while the customer is receiving other vocational rehabilitation services. The services may include training in managing, supervising, and directing personal assistance services. (Authority: Sections 7(28), 102(b)(3)(B)(i)(I), and 103(a)(9) of the Act; 29 U.S.C. 705(28), 722(b)(3)(B)(i)(I), and 723(a)(9)) [[Page 272]]

u. Physical and mental restoration services means; (i) Corrective surgery or therapeutic treatment that is likely, within a reasonable period of time, to correct or substantially modify a stable or slowly progressive physical or mental impairment that constitutes a substantial impediment to employment; (ii) Diagnosis of and treatment for mental or emotional disorders by qualified personnel in accordance with State licensure laws; (iii) Dentistry; (iv) Nursing services; (v) Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services; (vi) Drugs and supplies; (vii) Prosthetic and orthotic devices; (viii) Eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids prescribed by personnel that are qualified in accordance with State licensure laws; (ix) Podiatry; (x) Physical therapy; (xi) Occupational therapy; (xii) Speech or hearing therapy; (xiii) Mental health services; (xiv) Treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical treatment; (xv) Special services for the treatment of customers

with supplies; and (xvi) Other medical or medically related rehabilitation services.
(Authority: Sections 12 (c) and 103 (a)(6) of the Act; 29 U.S.C. 709 (c) and 723 (a)(6))

v. Pre-employment transition services are those services/activities for students with disabilities^[TP3] (see page 10 for definition of student with disability). Required activities include job exploration counseling; work-based learning experiences, which may include in-school or after school opportunities, or experience outside the traditional school setting (including internships), that is provided in an integrated environment in the community to the maximum extent possible; counseling on opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education; workplace readiness training to develop social skills and independent living; and instruction in self-advocacy. Authorized activities may also be provided.
(Authority: Section 7(30), and 113 of the Act; 29 U.S.C. 7(30) and 733)

~~w.~~ Physical or mental impairment means; (i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculo-skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or (ii) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (Authority: Sections 7(20)(A) and 12 (c) of the Act; 29 U.S.C. 705(20)(A) and 709 (c))

~~w.~~ x. Post-employment services means one or more of the services identified in Section 361.48 that are provided subsequent to the achievement of an employment outcome and that are necessary for a customer to maintain, regain, or advance in employment, consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. (Authority: Sections 12 (c) and 103 (a)(18) of the Act; 29 U.S.C. 709 (c) and 723 (a)(18)) Note to paragraph (b) (42): Post-employment services are intended to ensure that the employment outcome remains consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. These services are available to meet rehabilitation needs that do not require a complex and comprehensive provision of services and, thus, should be limited in scope and duration. If more comprehensive services are required, then a new rehabilitation effort should be considered. Post-employment services are to be provided under an amended individualized plan for employment; thus, a re-determination of eligibility is not required. The provision of post-employment services is subject to the same requirements in this part as the provision of any other vocational rehabilitation service. Post-employment services are available to assist a customer to maintain employment, e.g., the customer's employment is jeopardized because of conflicts with supervisors or co-workers, and the customer needs mental health services and counseling to maintain the employment; to regain employment, e.g., the customer's job is eliminated through re-organization and new placement services are needed; and to advance in employment, e.g., the employment is no longer consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

The customer is informed through appropriate modes of communication of the availability of post-employment services.

y. **Rehabilitation engineering** means the systematic application of engineering sciences to design, develop, adapt, test, evaluate, apply, and distribute technological solutions to problems confronted by customers with disabilities in functional areas, such as mobility, communications, hearing, vision, and cognition, and in activities associated with employment, independent living, education, and integration into the community. (Authority: Section 7(12)(c) of the Act; 29 U.S.C. 709 (c))

~~x-z.~~ **Rehabilitation technology** means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of, and address the barriers confronted by, customers with disabilities in areas that include: education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services. (Authority: Section 7(30) of the Act; 29 U.S.C. 705(30))

aa. **Student^{TP4} with a disability** is an individual with a disability who is under the age of 22 at the time of service delivery and is eligible for and receiving special education services or is on a 504 Plan. (Authority: Section 7(37) of the Act; 29 U.S.C. 705(37))

y.bb. **Substantial impediment to employment** means that a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, communication, and other related factors) hinders a customer from preparing for, entering into, engaging in, or retaining employment consistent with the customer's abilities and capabilities. (Authority: Sections 7(20)(A) and 12 (c) of the Act; 29 U.S.C. 705(20)(A) and 709 (c))

~~z.cc.~~ **Supported employment means**, (i) Competitive employment in an integrated setting, or employment in integrated work settings in which customers are working toward competitive employment, consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the customers with ongoing support services for customers with the most significant disabilities; (A) For whom competitive employment has not traditionally occurred or for whom competitive employment has been interrupted or intermittent as a result of a significant disability; and (B) Who, because of the nature and severity of their disabilities, need intensive supported employment services from the designated State unit and extended services after transition as described in paragraph (b)(20) of this section to perform this work; or (ii) Transitional employment, as defined in paragraph (b)(54) of this section, for customers with the most significant disabilities due to mental illness. (Authority: Section 7(35) of the Act; 29 U.S.C. 705(35))

aa.dd. **Supported employment services** means ongoing support services and other appropriate services needed to support and maintain a customer with a most significant disability in supported employment that are provided by the designated State unit; (i) For a period of time not to exceed ~~18~~24 months, unless under special circumstances the eligible customer and the rehabilitation counselor or coordination jointly agree to extend the time, to achieve the employment outcome identified in the individualized plan for employment; and (ii) Following transition, as post-employment services that are

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unavailable from an extended services provider and that are necessary to maintain or regain the job placement or advance in employment. (Authority: Sections 7(36) and 12 (c) of the Act; 29 U.S.C. 705(36 and 709 (c))

~~bb-cc.~~ **Transition services** means a coordinated set of activities for a student designed within an outcome-oriented process that promotes movement from school to post-school activities, including: post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based upon the student's needs, taking into account the student's preferences and interests, and must include instruction, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation. Transition services must promote or facilitate the achievement of the employment outcome identified in the student's individualized plan for employment. (Authority: Sections 7(37) and 103 (a)(15) of the Act; 29 U.S.C. 705(37) and 723 (a)(15))

~~ee-ff.~~ **Transitional employment**, as used in the definition of "Supported ~~U~~employment," means a series of temporary job placements in competitive work in integrated settings with ongoing support services for customers with the most significant disabilities due to mental illness. In transitional employment, the provision of ongoing support services must include continuing sequential job placement until job permanency is achieved. (Authority: Sections 7(35)(B) and 12 (c) of the Act; 29 U.S.C. 705(35)(B) and 709 (c))

~~dd-gg.~~ **Transportation** means travel and related expenses that are necessary to enable an applicant or eligible customer to participate in a vocational rehabilitation service, including expenses for training in the use of public transportation vehicles and systems. (Authority: 103 (a)(8) of the Act; 29 U.S.C. 723 (a)(8)) (i)

~~ee-hh.~~ **Vocational Rehabilitation Counselor** (VRC) is the designated employee position in charge of managing the customer's case. For the purposes of this manual a Vocational Rehabilitation Specialist is considered a VRC.

~~ff-ii.~~ **Youth^[TP5] with a disability** is an individual with a disability who is under the age of 25. (Authority: Section 7(42) of the Act; 29 U.S.C. 705(43))

1.6 Use of Audio and Video Recordings. IDVR reserves the right to prohibit customer use of video and audio recording without prior approval by the Chief of Field Services.

SECTION 2.0 – ETHICS

A. All ~~Idaho Division of Vocational Rehabilitation (IDVR)~~ employees must adhere to the Idaho Ethics in Government Manual:
<http://www.ag.idaho.gov/publications/manuals.html>~~http://www2.state.id.us/ag/manuals/index.html~~

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- B. IDVR ascribes to, and requires all Vocational Rehabilitation Counselors (VRCs) and ~~f~~Field ~~s~~Services ~~s~~Staff to follow the Code of Professional Ethics for Rehabilitation Counselors accepted by the Commission of Rehabilitation Counselor Certification (CRCC).
<http://www.crccertification.com>
- C. Provision of Services to Potential and Current IDVR Employees/Interns/Volunteers
- If an IDVR employee becomes a customer, their VR case will be served by a region other than where they work.
 - If an IDVR customer accepts employment with IDVR their case will be served by a region different than where they accepted employment.
- D. Internships, participants in training programs, or trial work experiences of customers served by IDVR will not be served from a counselor in the same office where the trial work, internship, or participation in training programs is located.
- E. If a family member of an employee or a family member of anyone who resides in the employee's residence applies for services they will be served by a counselor from a different region from the employee.
- F. An employee shall not financially benefit from decisions made under the authority of IDVR.
- G. An employee will not make IDVR purchases (case services or other purchases) from a family member or a family member of anyone who resides in the employee's residence, or from a business owned or controlled by such an individual. This includes customer reimbursements.

SECTION 3.0 PROTECTION, USE, AND RELEASE OF PERSONAL INFORMATION

3.1 Confidentiality

All information acquired by ~~Idaho Division of Vocational Rehabilitation (IDVR)~~ must be used only for purposes directly connected with the administration of the vocational rehabilitation program. As a general rule, information containing personal information may not be shared with advisory or other bodies that do not have official responsibility for administration of the program, except as provided in this policy. Use, release, and obtaining of personal information by IDVR shall conform to applicable State law and rules, and applicable Federal law and regulations.

Requests for information under the Idaho public records laws should be referred to the deputy attorney general assigned to the Agency.

For purposes of this policy, informed written consent shall:

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- A. Be explained in language that the customer or their representative understands;
- B. Be dated, and specify the length of effect;
- C. Be specific in designating IDVR as the agency authorized to use, disclose or receive information;
- D. Be specifically designated to the parties to whom the information may be released;
- E. Specifically designate the parties whom the information may be released; and
- F. Be specific as to the purpose(s) for which the information may be used.

3.2 Release of Personal Information to Customers with Disabilities, their Representative or Attorney

If requested in writing by a customer of IDVR, and upon informed written consent by the customer and/or his or her representative, all information in such customer's case record that pertains to such customer shall be made available in a timely manner to that customer, except:

- 3.2.1** Medical, psychological or other information that IDVR believes may be harmful to the customer. This information may not be released directly to the customer but may be provided to the customer through a third party chosen by the customer, which may include, among others, an advocate, a family member, or a qualified medical or mental health professional, unless a representative has been appointed by a court to represent the customer, in which case the information must be released to the court appointed representative.
- 3.2.2** Information obtained from outside IDVR may be released only under the conditions established by the outside agency, organization or provider or mandated for them by Federal or State law.
- 3.2.3** An applicant or eligible customer who believes that information in the customer's record of services is inaccurate or misleading may request that IDVR amend the information. If the information is not amended, the request for an amendment must be documented in the record of service.
- 3.2.4** IDVR will respond to a case records request made under this section within ten (10) working days after receipt of a written request. One current copy of the case record will be made for the customer at no charge. Additional copies will be provided at the flat fee of \$25 each.

3.3 Release to Other Agencies or Organizations

If information requested has been obtained from another agency, organization or professional, it will be released only under conditions established by that agency, organization or professional.

- IDVR may release personal information without informed written consent of the customer in order to protect the customer or others when the customer poses a threat to his/her safety or the safety of others.

3.4 Release in Response to Investigations in Connection with Law Enforcement

IDVR shall release personal information in response to investigations in connections with law enforcement, fraud, or abuse, unless expressly prohibited by Federal or State laws or regulations, and in response to a court order.

3.5 Release for Audit, Evaluation or Research

At the discretion of the Administrator, personal information may be released to an organization, agency, or customer engaged in audit, evaluation or research only for purposes directly connected with the administration of the vocational rehabilitation program, or for purposes which would significantly improve the quality of life for customers with disabilities, and only if the organization, agency or customer assures that:

- A. The information will be used only for the purposes for which it is being provided;
- B. The information will be released only to customers officially connected with the audit, evaluation or research;
- C. The information will not be released to the involved customer;
- D. The information will be managed in a manner to safeguard confidentiality and,
- E. The final product will not reveal any personal identifying information without the informed written consent of the involved customer, and/or his/her representative.

3.6 Subpoena for Release of Information to the Courts, Other Judicial Bodies, Worker's Compensation and Law Enforcement Agencies

A subpoena issued to IDVR for information relating to a customer of IDVR must immediately be referred to the Chief of Field Services who will subsequently refer the document to the Deputy Attorney General assigned to the Agency to determine how the agency will respond to the subpoena.

3.7 Social Security Information

Confidentiality of SSA information is covered under Section 11.06 of the Social Security Act and may be disclosed only as prescribed by regulations. The Act permits disclosure of all information about a claimant to State VR agencies. State VR agencies routinely obtain information, including entitlement and medical information, from SSA records. Medical information may be obtained without the claimant's consent; however, State VR agencies may not permit access to such information, release it further (this includes other state agencies), or testify concerning it for any other purpose than the rehabilitation of the Social Security Disability beneficiary claimant. To obtain information from Disability Determination Services, a release form must be used.

SECTION 4.0 APPEALS PROCESS

The ~~IDVR counselor~~ VRC shall notify and provide written information to all applicants and eligible customers regarding:

- A. Their right to appeal determinations made by IDVR personnel, which affect the provision of rehabilitation services;

- B. Their right to request mediation;
- C. The names and addresses IDVR personnel to whom requests for mediation or appeals may be filed;
- D. The manner in which a mediator or hearing officer may be selected;
- E. Availability of assistance from the Client Assistance Program (CAP).
- F. If the Agency is following an Order of Selection, it shall inform all eligible customers of the priority they are in.

Timing of such notification shall be provided by the ~~IDVR counselor~~VRC:

- A. At the time a customer applies for rehabilitation services;
- B. At the time of the Individualized Plan for Employment (IPE) is developed;
- C. At the time the customer is assigned to a category in the State's Order of Selection, if applicable; and
- D. Upon reduction, suspension, or cessation of approved rehabilitation services for the customer.

Whenever possible, IDVR will attempt to resolve conflicts informally or through the Dispute Resolution process. IDVR will not pay for a customer's legal services.

IDVR shall make disability related accommodations to assist customers in the conduct of the appeals process.

4.1 Continuation of Services Pending Completion of the Appeal Process

Pending a final determination of an Informal Review or Fair Hearing or participation in Mediation, IDVR may not suspend, reduce, or terminate approved services being provided under an IPE, unless the services were obtained through misrepresentation, fraud or collusion or the customer or authorized representative, requests suspension, reduction, or termination of services.

4.2 Client Assistance Program (CAP) and Supervisory Review

The CAP and supervisory review are encouraged as a means to resolve dissatisfaction. These options are in keeping with the IDVR policy to resolve a customer's dissatisfaction at the earliest possible time.

4.3 Dispute Resolution Process

4.3.1 The Informal Review process is an option available to the customer as a proven means likely to result in a timely resolution of disagreements. A customer must request an Informal Review within twenty-one (21) calendar days of the agency notice regarding IDVR' s decision to provide or deny services that are in question. The request must be in writing to the [Regional ManagerRM](#). The request must describe the complaint.

In holding an Informal Review, the [Regional ManagerRM](#) will function as the Review Officer. At the customer's request another [Regional ManagerRM](#) may be substituted. The reviewer will be responsible for:

- A. Advising the customer of his/her right to have a representative present and encouraging the customer to use the services of CAP.
- B. Conducting the review within fifteen (15) calendar days following written receipt of a request for such a hearing. Unless an extension is agreed to by both parties.
- C. When the customer makes a documented effort to utilize CAP or another selected advocate to resolve his/her dissatisfaction, the time allowed for conducting an Informal Review will be extended accordingly.
- D. Holding the review at a time and place convenient to the customer, generally at the local IDVR branch office.
- E. Providing communication methods for those customers who have a sensory impairment. An interpreter will be provided for those customers who cannot communicate in English.
- F. If needed, assure that the customer is provided transportation to and from the review site.
- G. The Informal Review Officer ([Regional ManagerRM](#)) will attempt to resolve the matter to the satisfaction of the customer, developing a written proposal with the customer at the conclusion of the appeal process. The results are binding for the agency unless the proposal is not permitted by law. The customer may reject the proposal and request a Fair-Hearing within ten (10) calendar days of the Informal Review proposal or sixty (60) calendar days of the original IDVR decision, whichever ever one comes later.

4.4 Mediation

4.4.1 Mediation is an alternate dispute resolution method available to applicants and eligible customers who have initiated the Formal Appeals Process.

- A. A customer must request Mediation within twenty (20) calendar days of the original decision or ten (10) calendar days following the written proposal from the

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Informal Review. Mediation is available to a customer when an Informal Review has not resolved the dispute to the satisfaction of the customer.

- B. Requests for mediation must be made in writing to the Chief of Field Services and clearly state the reason for dissatisfaction with the decision or results of the Informal Review. The Chief of Field Services will represent IDVR or assign a member of the administrative or supervisory staff who has not participated in the Agency action that created the customer's dissatisfaction.
- C. Participation in the mediation process is voluntary on the part of the customer and on the part of IDVR. Either party may reject mediation as an alternate dispute resolution method. Either party, once accepting mediation as an alternate dispute resolution method, may terminate the mediation process.
- D. Mediation is not used to deny or delay the customer's right to pursue a Fair Hearing. Should the customer and/or designated representatives select mediation in lieu of a Fair Hearing the option for the Fair Hearing will be extended to allow the results of the mediation to be established. After the final results of the mediation are determined, the customer retains the right to request a Fair Hearing.
- E. Mediation is conducted by qualified and impartial mediators, who are selected randomly from a list of mediators maintained by the IDVR.
- F. Mediation discussions are confidential and may not be used as evidence in a subsequent Fair Hearing. A confidentiality agreement will be signed by both parties at the beginning of the mediation process.
- G. The mediator will develop a written Mediation Agreement, if an agreement between the parties is reached, it must be signed by the customer, the mediator, and IDVR.
- H. Cost of mediation is paid by IDVR. IDVR is not required to pay for any cost related to the representation of a customer.

4.5 Fair Hearing Process

The Fair Hearing Process is an option available to any customer who is dissatisfied with any determination made by personnel of IDVR that affects the provisions of vocational rehabilitation services. A customer may request a Fair Hearing immediately without having to go through the other appeal steps.

A customer may request, or if appropriate, may request through the customer's representative, a timely review of the determination. Such a request must be made within sixty (60) days of the IDVR decision resulting in the initial disagreement or within ten (10) calendar days of the conclusion of the Informal Review or ten (10) calendar days of the conclusion of the Mediation Process whichever is later. The Fair Hearing Process shall include a Fair Hearing by a Fair Hearing Officer (FHO).

- 4.5.1** A Formal Hearing is a procedure whereby a customer who is dissatisfied with any determination concerning the provision or denial of IDVR services or the findings of the Informal Review or Mediation may seek a determination of the agency action before a Fair Hearing Officer.
- 4.5.2** A request for a Fair Hearing must be sent in writing to the Chief of Field Services and clearly state the customer's dissatisfaction with the Agency's decision.
- 4.5.3** The hearing shall be conducted within sixty (60) calendar days of receipt of the customer's request for review, unless informal resolution is achieved prior to the 60th day, or both parties agree to a specific extension of time.
- 4.5.4** A list of Fair Hearing Officers shall be identified jointly by the Administrator of IDVR and the State Rehabilitation Council.
- 4.5.5** The Fair Hearing Officer will be selected from the list by the Administrator of IDVR and the customer.
- 4.5.6** The Fair Hearing Officer shall issue a written report of the findings and decision of the hearing within thirty (30) calendar days of the completion of the hearing.
- 4.5.7** The decision of the Fair Hearing Officer shall be considered final by the agency.
- 4.5.8** Any party who disagrees with the findings and decisions of a Fair Hearing Officer shall have the right to bring a civil action with respect to the matter in dispute. The action may be brought in any State court of competent jurisdiction or in a district court of the United States of competent jurisdiction without regard to the amount in controversy.

SECTION 5.0 APPLICATION AND ELIGIBILITY DETERMINATION

- A. People with disabilities can achieve competitive, high quality employment in an integrated setting and can live full productive lives.
- B. People with disabilities often experience major barriers related to the low expectations of and misunderstandings toward, people with disabilities that exists within society, within the persons with disabilities themselves, and sometimes, within our own rehabilitation system.
- C. People with disabilities should have responsibility and accountability to make their own choices about their lives; the kind of employment they want to pursue, who they want to provide services for them, as well as the kind of services they need.
- D. The primary purpose and role of the public vocational rehabilitation system is to empower individuals with disabilities by providing them with information, education, training, and confidence, in order that they will make effective employment choices when appropriately informed. It is also the purpose of the public vocational rehabilitation

system to support those choices when they are based upon reasonable and verifiable premises.

- E. The most effective rehabilitation occurs when there are true partnerships between the Federal and State partners, State agency providers, community providers and employers, the disability community, all other partners, and the consumer.

The ultimate goal is to provide eligible customers with the skills, tools and information to aid in their vocational discovery process and to initiate informed choices when creating their Individualized Plan for Employment (IPE) with the ~~VR counselor~~ VRC.

5.1 Inquiry

IDVR will respond to all general inquiries for VR services received via telephone, mail or electronic format within seven (7) business days.

5.2 Referral

A completed Referral form for VR services from customers available to participate in services that are made via mail or electronic format will be entered into the case management system as an open referral within three (3) business days. IDVR staff will make a minimum of three (3) attempts to contact the customer before the referral is closed. The first attempt will include a phone call or e-mail. If unable to make contact, a letter will be sent to confirm IDVR has received the inquiry and will include the ~~VR~~IDVR office phone number. If the customer does not respond to the first letter, a second letter will be sent stating that IDVR has been unable to contact the customer and that the referral for services will be closed. Attempts to reach the customer and those results will be documented in the case management system.

5.3 Application for Idaho Division of Vocational Rehabilitation (IDVR) Services

An application process is complete when the following three criteria are met:

1. IDVR receives a signed and dated application signature sheet from a customer or his/her representative, or an alternate request for application is made to an IDVR office;

~~AND~~ and

2. The customer provides the information needed to begin an assessment of eligibility. Information gathered in the intake interview meets this criterion;

~~AND~~ and

3. The customer is available and free of restrictions to complete the assessment process for determining eligibility for VR services.

There is no duration of residency requirement. The customer must be living in the State of Idaho and legally able to work in the United States.

Applicants must be available and participate in the eligibility determination process.

IDVR must, as part of the application process, inform applicants that the goal of ~~the~~ VR services is to assist eligible customers to obtain or maintain employment and that services provided are toward this goal. Customers must also be informed of their rights and responsibilities.

The 60-day eligibility determination period begins when the application process is complete.

5.3.1 Orientation to Vocational Rehabilitation

IDVR is obligated to provide all customers with information about the following:

1. The Client Assistance Program (CAP);
2. Confidentiality;
3. VR services;
4. Informed choice;
5. The rehabilitation process;
6. That customers who receive VR services must intend to achieve an employment outcome;
7. The rights and responsibilities of the customer; and
8. The VR appeals process.

This information may be conveyed to customers through group orientations, in a one-on-one interview setting or over the telephone by IDVR staff.

5.3.2 Intake Interview

The intake interview is part of the application process and is the beginning of the assessment process to determine eligibility and potential services to be included on the Individualized Plan for Employment (IPE). Medical, psychological, social, vocational, educational, cultural and economic information is gathered to determine the unique strengths, abilities, and interests of the customer.

Prior to the end of the intake interview, the IDVR staff member should identify the actions needed by both IDVR and the customer. This could include:

1. Appointment(s) scheduled
2. Releases of Information obtained
3. Authorizations to be issued
4. Referral letters
5. Next scheduled meeting
6. Existing information the customer agrees to provide ~~VR~~IDVR staff

5.4 Assessment for Determining Eligibility

Any customer who applies for services shall undergo an assessment for determining eligibility and the priority for services, the results of which shall be shared with the customer.

The assessment will be conducted in the most integrated setting possible and consistent with the needs and informed choice of the customer.

Eligibility for IDVR services shall be determined within a reasonable period of time, not to exceed sixty (60) days after the application for services (All three components of an application received) unless the following occurs:

- A. The customer is notified that exceptional and unforeseen circumstances beyond control of IDVR preclude the counselor from completing the determination within the prescribed time frame and customer agrees that an extension of time is warranted;

OR

- B. A trial work experience including an exploration of the customer's abilities, capabilities, and capacity to perform in work situations is carried out;

OR

- C. An extended evaluation is necessary.

5.5 Eligibility Criteria

A customer is eligible for Vocational Rehabilitation if the following criteria are met:

- A. A determination by qualified personnel that the customer has a physical or mental impairment;
- B. A determination by a qualified ~~vocational rehabilitation counselor~~ VRC that the customer's physical or mental impairment constitutes or results in a substantial impediment to employment for the applicant;
- C. A determination by a qualified ~~vocational rehabilitation counselor~~ VRC employed by IDVR that the customer requires vocational rehabilitation services to prepare for, secure, retain or regain employment consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice;
- D. A presumption by a qualified ~~vocational rehabilitation counselor~~ VRC that the applicant can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.

NOTE: *The customer can benefit in terms of an employment outcome from vocational rehabilitation services unless the counselor demonstrates on the basis of clear and convincing evidence, and only after an exploration of the customer's abilities, capabilities, and capacity to perform in work situations or an extended evaluation is carried out, that such customer is incapable of benefiting from vocational rehabilitation services in terms of an employment outcome.*

5.5.1 Qualified Personnel

IDVR has established a policy for "qualified personnel" for the purpose of disability determination. Under the Rehabilitation Act, the assessment for determining eligibility must be made by "qualified personnel" including, if appropriate, personnel skilled in rehabilitation

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technology (Section 103 (a)(1) of the Act). In addition, diagnosis and treatment for mental and emotional disorders must be provided by “qualified personnel who meet State licensure laws” (Section 103 (a)(6)(F) of the Act).

Qualified personnel are those who meet existing licensure, certification, or registration requirements applicable to the profession, this includes ~~VR Counselor~~ VRCs who meet IDVR’s Comprehensive System of Personnel Development (CSPD) policy.

The determination of the existence of impairment should be supported by medical and/or psychological documentation. Medical/psychological disabilities shall be diagnosed by qualified personnel who demonstrate the possession of requisite State licensure, certification, or registration of requirements applicable to the practice of their profession within the state of Idaho.

The following occupations have been licensed in Idaho to provide general medical diagnoses. *The ~~VR Counselor~~ VRC can utilize general medical diagnoses established by these medical professionals:*

- Medical Physician or Doctor of Osteopathy
- Nurse Practitioner (works under own licensure)
- Physician’s Assistant (works under a “Delegation of Services Agreement” with a physician providing oversight)

The following occupations have been licensed in Idaho to provide specific medical diagnoses within the specialized areas of competency for which the specific licensure has been determined. *It is critical that the ~~VR Counselor~~ VRC take special precaution to ensure that when utilizing medical diagnoses from one of the medical professions listed below that only those areas of expertise for which the particular professional has been credentialed are documented within the eligibility determination module.*

- Licensed Psychologist
- Chiropractor
- Naturopath
- Podiatrist
- Optometrist
- Physical Therapist
- Dentist/Orthodontist
- Advanced Certified Alcohol and Drug Counselor (ACADC) / Certified Alcohol and Drug Counselor (CADC) (restricted to identifying alcohol and drug impairment related to specific testing outcome)
- School Psychologist (limited to diagnosing eligibility for school related special needs services)
- Licensed Audiologist (restricted to diagnosing hearing impairments specifically related to audiological testing results when medical conditions have been ruled out)

For further clarification, you may access www.ibol.idaho.gov and connect to “The Individual Board Pages” to determine the full extent of the professional latitude allocated to the medical occupations that are licensed to provide specialized services within narrowly defined parameters

of competency. The State Board of Medicine maintains jurisdiction over the authority and conduct of medical doctors.

Private ~~L~~icensing/certifying boards outside the ~~f~~Federal/~~s~~State purview cannot be utilized as a basis for VR diagnostic purposes.

5.5.2 Social Security Presumption

Any applicant, who has been determined eligible for Social Security benefits under Title II or Title XVI of the Social Security Act, based upon their disability, is presumed to meet the eligibility requirements for vocational rehabilitation services and is considered a customer with a significant disability.

Following an application and initial interview where a customer reports receiving SSI or SSDI, the counselor will obtain verification of receipt of SSI/SSDI, such as an award letter, a copy of the customer's check, or a verification document through the Social Security Entry and Verification System (SVES). Upon verification, the customer is made eligible for vocational rehabilitation with a Presumption of Eligibility statement in the record of services.

NOTE: If the applicant presents sufficient medical documentation to determine eligibility at the first meeting, verification will still be procured but eligibility can be determined immediately without designating presumptive status.

The assessment for determining rehabilitation needs will continue, as needed, to obtain information necessary to determine the Individualized Plan for Employment. This assessment will include: gathering existing records to determine the customer's impairment, impediment and nature and scope of the VR services necessary to obtain an employment outcome consistent with the customer's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

When the assessment adequately documents the impairment(s), employment impediment(s) and required service(s) needed, the qualified ~~VR counselor~~ VRCs completes an Eligibility Determination in the Agency's computerized data system.

If a customer receives disability benefits under Title II or Title XVI of the Social Security Act and intends to work, IDVR presumes eligibility for services, unless, because of the significance of the customer's disability, a ~~VR counselor~~ VRC cannot presume that VR services will enable the customer to work (based on clear and convincing evidence).

Should the significance of the disability prevent a ~~VR counselor~~ VRC from presuming that VR services will enable the customer to work, the customer will be asked to complete a trial work experience in order for the counselor to make an eligibility determination.

If the customer cannot take advantage of a trial work experience, an extended evaluation must be conducted in order to make the decision of eligibility.

5.6 Review and assessment of data for eligibility determination

The eligibility determination shall be based on the review and assessment of existing data, including: counselor observations, education records, and information provided by the customer or family, particularly information used by education officials and determinations made by officials or other agencies. Current medical records will be utilized to determine the nature and extent of the disability as well as for justification for the procurement of additional medical data when required to identify/verify alleged medical restrictions.

To the extent that existing data does not describe the current functioning of the customer, IDVR will conduct an assessment of additional data resulting from the provision of VR services including: trial work experiences, assistive technology devices and services, personal assistance services, and any other support services that are necessary to determine whether a customer is eligible.

5.6.1 Eligibility/Ineligibility: For each customer determined eligible or ineligible for vocational rehabilitation services, the record of services must include a dated Determination completed by a qualified ~~vocational rehabilitation counselor~~ VRC. Written notification of an ineligibility determination will be provided to the customer.

An ineligibility notification must include the reason for the determination, rights and responsibilities, ~~and~~ Client Assistance Program (CAP) information and information and referral to other appropriate agencies, which may include referral to the other workforce partners. A customer should be referred ~~to the local Department of Labor to address the customer's training or employment needs or~~ to the Extended Employment Services Program (~~Work Services / Sheltered Workshops~~) if the ineligibility is "Too Severely Disabled."

Ineligibility decisions based upon the severity of disability must outline clear and convincing evidence and require a period of trial work experiences or extended evaluation prior to closure. (See Closure, Section 13)

It is federally mandated that IDVR review the closure outcome of "too severely disabled" within 12 months of closure and annually thereafter, if requested. (See Section 13)

5.6.2 Trial Work Experiences (TWE) for customers with significant disabilities: Prior to any determination that a customer with a disability is incapable of benefiting from VR services in terms of an employment outcome because of the severity of that customer's disability, an exploration of that customer's abilities, capabilities, and the capacity to perform in realistic work situations must be conducted to determine whether or not there is clear and convincing evidence to support such a determination.

In such cases a written plan must be developed to assess and determine the above. The assessment must be provided in the most integrated setting possible, consistent with the informed choice and rehabilitation needs of the customer. TWE include: supported employment, situational assessment, and other experiences using realistic work settings and must be a sufficient variety and over a sufficient period of time to make such determination. Appropriate supports, including assistive technology devices and services

and personal assistance services to accommodate the rehabilitation needs of the customer must be provided.

Trial Work Experience is used to demonstrate whether the customer is capable of benefiting from VR services. Trial Work Experience will be conducted before Presumptive Eligibility is completed if there is a question regarding capacity to benefit.

TWEs may include: Community Based Work Evaluation (CBWE), job coaching, on-the-job training, supported employment or other experiences using realistic work settings, as well as assistive technology and other needed services.

Review the TWE Plan at least every 90 days to determine if there is sufficient evidence to conclude that the customer can benefit from VR Services in terms of an employment outcome or there is clear and convincing evidence that the customer is incapable of benefiting from VR Services in terms of an employment outcome due to the severity of the disability.

Make the determination for eligibility or case closure within the 18-month time frame.

5.6.3 Extended Evaluation: Under limited circumstances if a customer cannot take advantage of trial work experiences or if options for trial work experiences have been exhausted, an Extended Evaluation (EE) must be conducted to make these determinations.

In all cases where the counselor determines that an extended evaluation is required, the case record must include a Determination of Extended Evaluation completed by a qualified ~~VR counselor~~VRC, which documents:

- A. That the customer has a physical or mental impairment which constitutes or results in a substantial impediment to employment and requires VR services, and
- B. That it is questionable if the customer is capable of benefiting from VR services in terms of an employment outcome because of the severity of the disability.

During the extended evaluation period, VR services must be provided in the most integrated setting possible, consistent with the informed choice and rehabilitation needs of the customer. There must be a written Extended Evaluation Plan for providing services necessary to make an eligibility or ineligibility determination. Only those services that are necessary to make the above determinations are to be provided and extended evaluation services are terminated when the qualified ~~vocational rehabilitation counselor~~VRC is able to make the determinations.

A customer will remain in extended evaluations only for the period of time required to determine if the customer can benefit from VR services in terms of an employment outcome but not to exceed eighteen (18) months. A review of the case shall be conducted as often as necessary but at least every ninety (90) days. Written documentation will be provided of determination.

SECTION 6.0 THE DETERMINATION OF SIGNIFICANCE OF DISABILITY

6.1 Policy

At the time a customer is determined eligible for VR services, a ~~VR counselor~~VRC will determine the significance of the disability and, based upon the determination, will assign the customer to a priority category. If the agency is not under an Order of Selection, the prioritization will be used (1) for planning purposes to ascertain services that can continue to be provided to all who are eligible and (2) to provide a structure for an easy transition to an Order of Selection if required. If the Agency is under an Order of Selection (see section 14), the priority categories are used to determine the order in which customers receive services.

6.2 Definitions

Priority Categories:

- A. No Significant Disability (NSD)
- B. Significant Disability (SD)
- C. Most Significant Disability (MSD)

No Significant Disability (NSD)

- a. Who has a physical or mental impairment;
- b. Whose impairment constitutes or results in a substantial impediment to employment; and
- c. Who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.

Significant Disability (SD)

- a. Meets the criteria for a customer with no significant-disability;
- b. Experiences a severe physical and/or mental impairment that seriously limits two or more functional categories (such as mobility, work skills, self-care, interpersonal skills, communication, self-direction or work tolerance) in terms of an employment outcome; and
- c. Requires multiple primary Individualized Plan for Employment (IPE) services over an extended period of time (at least 6 months).

Most Significant Disability (MSD)

- a. Meets the criteria established for a customer with a significant disability;
- b. Experiences a severe physical and/or mental impairment that seriously limits three or more functional categories (such as mobility, work skills, self-care, interpersonal skills, communication, self-direction or work tolerance) in terms of an employment outcome; and
- c. Requires multiple primary Individualized Plan for Employment (IPE) services over an extended period of time (at least 6 months).

Note: Customers who are beneficiaries of Social Security Disability Insurance (SSDI) or recipients of Supplemental Security Income (SSI) for disability reasons are automatically classified as either SD or MSD depending upon the extent of their functional loss category limitations.

Order of Selection (OOS): When VR services cannot be provided to all eligible customers because of financial or service capacity constraints, the Agency will enter an Order of Selection process that will assure that first priority is given to customers with the most significant disabilities. *Please review Section 14.0 for details regarding Order of Selection.*

6.3 Procedures

Determination of Significance of Disability

A ~~VR counselor~~VRC determines and adequately documents the level of severity of a customer's disability based on a review of the information gathered to determine eligibility. If additional information is necessary to make the determination, a ~~VR counselor~~VRC may obtain the information from the customer, customer's family, an outside professional and/or another public agency.

If adequate information is not available to describe or document current functioning, a ~~VR counselor~~VRC may purchase diagnostics from a qualified service provider.

A ~~VR counselor~~VRC reviews the data to determine:

- A. The number of functional capacity categories in terms of an employment outcome that are seriously impacted as a result of a disability;

AND

- B. Whether a customer is likely to need multiple primary IPE services to prepare for, obtain, or maintain a job;

AND

- C. The anticipated duration of IPE services are needed for an extended period of time (at least 6 months).

Identifying a Serious Loss of Functional Capacity

Functional capacity categories include: mobility, work tolerance, communication, self-care, interpersonal skills, self-direction, and work skills. To identify a loss of functional capacity, a ~~VR counselor~~VRC reviews and assesses data provided by the customer or customer's family, observed by the ~~VR counselor~~VRC, or reported by another qualified professional to determine whether:

A. A loss of functional capacity resulting from a disability is present;

AND

B. The loss of functional capacity represents an impediment to employment;

AND

C. The loss of functional capacity meets the definition of "serious loss of functional capacity."

A serious loss of functional capacity means a reduction in capacity of the customer to the degree that the person requires services or accommodations not typically provided to other customers in order to prepare for, secure, or maintain a job.

A specific disability diagnosis does not automatically infer a serious loss of functional capacity. Although certain functional losses are commonly associated with specific disability diagnoses, the presence and seriousness of the loss is unique for each person. Therefore, a ~~VR counselor~~VRC must complete a thorough evaluation of loss of functional capacity for each customer.

Non-disability factors such as age, sex, race, cultural, geographic location, poor public transportation, legal history, or lack of training should not be considered when determining loss of functional capacity. It is within the ~~VR counselor~~VRC's judgment to determine whether limitations are disability related or not.

Self-Reported or Observed Loss of Functional Capacity

A ~~VR counselor~~VRC may identify a loss of functional capacity based on a customer's self-report, reports from the family, school representative or others, or based on counselor observations.

For example, while interviewing an applicant who is hard of hearing, a ~~VR counselor~~VRC observes that the applicant is not able to effectively communicate verbally. Medical records clearly establish a hearing impairment, but do not address verbal limitations. Because a loss of functional capacity in verbal communication is consistent with and commonly associated with hearing loss, the ~~VR counselor~~VRC may determine, based on his or her observations, that a serious loss of functional capacity is present. To ensure the case service record explains and supports the determination, the ~~VR counselor~~VRC enters case narrative explaining that a loss in

the area of communication was observed, a summary of the observations, and how the loss of functional capacity affects the customer.

SD/MSD Checklist

Once the ~~VR counselor~~VRC determines a disability-related loss of functional capacity, the ~~VR counselor~~VRC considers whether the loss of functional capacity meets the definition of a “serious loss of functional capacity” contained in the SD/MSD Checklist loss of functional capacity definitions. If the loss of functional capacity meets the definitions of a “serious loss of functional capacity” the ~~VR counselor~~VRC checks the appropriate indicator on the Checklist.

The ~~VR counselor~~VRC completes the SD/MSD Checklist for each customer as soon as sufficient information is available, but no later than sixty (60) days from the date of application (unless an extension has been agreed upon).

SECTION 7.0 ASSESSMENT OF VOCATIONAL REHABILITATION NEEDS

7.1 Primary Source of Information

To the extent possible, the vocational goal, intermediate objectives, and the nature and scope of services to be included in the Individualized Plan ~~for~~for Employment (IPE) must be determined based on the data used for the assessment of eligibility and priority for services.

The Comprehensive Assessment to be completed prior to the development of the IPE will use, as a primary source of information, to the maximum extent possible, the following:

- A. Existing information
- B. Information provided by the customer and, where appropriate, by the family of the customer.
- C. The Assessment may also include new information acquired by IDVR including an in-house vocational evaluation; Community Based Work Evaluation (CBWE), aptitude tests, interest tests, job shadowing or any pertinent assessment required to identify the objectives, nature and scope of VR services that the customer may need in order to substantiate the choice of employment outcome.

7.2 Comprehensive Assessment of Rehabilitation Needs

A comprehensive assessment of rehabilitation needs is a process utilized to identify the customer’s strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice as it relates to any potential vocational goal. The assessment shall be conducted in the most integrated setting possible, consistent with the informed choice of the customer.

7.2.1 Assessment of the Customer’s Current Realities

The ~~VR counselor~~VRC and customer will evaluate the following relevant factors.

Work History:

The ~~VR counselor~~ VRC is required to obtain a thorough work history of the customer at the time of the intake interview. The gathering of this information requires the identification of job titles, job duties/responsibilities, and length of time in each position, hiring/educational requirements, and the reasons for leaving. Some attempt should be made to assess the customer's satisfaction with the job, the employer, and co-workers.

Functional Limitations:

Functional limitations need to be clearly outlined before the customer begins the development of a vocational goal. The establishment of an appropriate vocational goal requires that both the ~~VR counselor~~ VRC and customer are aware of and address the true barriers to employment including the customer's perception of their limitations. This involves addressing the following areas:

- A. Physical limitations (lifting, walking, carrying, driving, stooping, reaching, handling, and bending)
- B. Mental limitations (coping with stress, working with other people, working alone)
- C. Current work tolerance
- D. Acceptance of disability
- E. Cognitive functioning

Personal Social & Economic Factors:

It is important for the ~~VR counselor~~ VRC and customer to gather, document, and understand personal social and economic considerations. These considerations include:

- A. Values (personal and work)
- B. Family
- C. Service or support agencies
- D. Legal
- E. Financial (current realities and future expectations)
- F. Substance Use
- G. Non-financial resources / supports available

It is critical to understand the personal, social and economic factors as it relates to the development of the employment goal and the IPE.

Aptitudes/Transferable Skills:

To determine an appropriate employment goal the ~~VR counselor~~[VRC](#) and customer must identify the aptitudes, skills, and ability that the customer possesses. The following skill areas are to be addressed:

A. Personal

- Self-management
- Self-care
- Personality characteristics

B. Functional skills – A person’s level of skill working with data, people, and things.

C. Specific work skills – competencies in specific work task areas.

Many tools exist to assist the customer and the ~~VR counselor~~[VRC](#) to identify aptitudes and transferable skills.

7.2.2 Identification of potential employment goal, rehabilitation needs, and IPE services

The ~~VR counselor~~[VRC](#) and customer will evaluate a potential employment goal and identify rehabilitation needs and services required to achieve that employment goal.

Vocational Assessment:

Vocational assessment is a comprehensive process involving the ~~VR counselor~~[VRC](#) and the customer that focuses on functional abilities and will incorporate medical, psychological, social, vocational, educational, cultural, economic data, and real or simulated work. This is done to identify the employment goal, its overall feasibility, and the VR services that are needed to achieve that goal. Examples of vocational assessment include:

- A. Formal Vocational Evaluation
- B. Community Based Assessment
- C. Guidance & Counseling – Facilitated Self-Discovery
- D. Labor Market Research
- E. Assistive Technology Review

7.3 IPE Development:

Through the comprehensive assessment the customer has made an informed choice of his/her vocational goal. For the vocational goal to be implemented, the ~~VR counselor~~[VRC](#) must concur that the vocational goal is feasible. The ~~VR counselor~~[VRC](#) will then assist in identifying the IPE services needed to remove barriers to employment. The ~~VR counselor~~[VRC](#) is required to address all previously identified disability related barriers to employment. These services include but are not limited to:

- A. Counseling and Guidance
- B. Training
- C. Medical and mental restoration

- D. Disability adjustment training
- E. Information and referral services
- F. Interpreter services
- G. Job placement assistance
- H. Job readiness training
- I. Job search assistance
- J. Maintenance
- K. On-the-job supports
- L. On-the-job training
- M. Other services
- N. Personal attendant services
- O. Reader services
- P. Rehabilitation technology
- Q. Technical assistance services
- R. Transportation services

Vocational rehabilitation services are any services described in an IPE necessary to assist a customer with a disability in preparing for, securing, retaining, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the customer.

The following are essential components that need to be addressed and documented as part of the comprehensive assessment:

- Compatibility of Disability with Employment
- Skills, Interests, Aptitudes, and Abilities
- Market Analysis
- Economic Expectations and Potential for Career Growth
- Vocational Strengths and Capacities
- Customer Financial Issues
- Informed Customer Choice
- Social Support
- Training and Academic Test Results
- Rehabilitation Technology needs
- Legal barriers and industry specific requirement (criminal issues, drug and alcohol screenings, tobacco use, etc.)

7.4 Medical Consultation Policy

Medical consultants are retained by IDVR. Medical consultants can be used to review a customer's diagnostic information to determine; 1) if it is complete or if updated and/or additional medical reports are necessary; 2) to train the counselor about medical conditions; and 3) to assist in case management direction.

Examples of times to use a medical consultant are:

- A. Eligibility determination
- B. Plan development

- C. Prior to medical restoration services
- D. Whenever a VR staff member has a question about a customer's treatment, medications, or condition including such issues as the natural course of the disease or treatment options.

When presenting a case file to the medical consultant, be prepared to:

- 1. Present specific questions to the medical consultant; and
- 2. Speak knowledgeably about the customer.

Some examples of things a VR staff member may consider prior to medical consultation:

- A. File medical information in chronological order with most recent on top
- B. Highlight or tab important information
- C. Eliminate duplicate data
- D. List questions for the medical consultant

SECTION 8.0 PARTICIPATION OF CUSTOMERS IN COST OF SERVICES BASED ON FINANCIAL NEED^[TP6]

In order to further IDVR's mission to help customers move towards independence and self-sufficiency, IDVR encourages customers to be personally invested in and contribute financially towards the cost of their VR plan, when possible. The extent of the customer's financial participation in the cost of Vocational Rehabilitation services is based on their income and other factors. ~~Regardless of the amount that is going to be contributed by the customer, the Financial Participation Assessment of the customer's financial participation~~ is an effective tool for identifying customer resources as they relate to VR planning and implementation, regardless of the amount contributed by the customer.

Reminder: Financial need and/or participation status ~~are~~ is not ~~a~~ a factors in the eligibility determination.

Financial Participation

~~When financial participation is assessed~~ using IDVR's Financial Participation Assessment (FPA) Form.:

- 1. After eligibility, during plan development, while exploring comparable benefits, ~~AND Using the Financial Participation Assessment (FPA) form.~~ AND
- 2. Every twelve (12) months or ~~sooner~~ if financial circumstances change significantly, whichever occurs sooner.

Financial Participation Assessment Guidelines **Services Exempt from Financial Participation:**

A Financial Participation Assessment will be applied as a condition for ~~providing~~ furnishing ~~all~~ vocational rehabilitation services, EXCEPT for the following: (34 CFR 361.54(b) (3))

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1. Assessment ~~Purchased services~~ for determining eligibility and vocational rehabilitation needs.
Note: Assessment services for determining eligibility and vocational rehabilitation needs, which are not diagnostic in nature and are provided in the trial work period (i.e., transportation), are subject to financial participation.
2. Vocational rehabilitation counseling and guidance and referral services;
3. Any auxiliary aid or services (e.g., interpreter services or reader services) that an individual with a disability requires in order for the individual to participate in the vocational rehabilitation program. Auxiliary aids and services do not include personally prescribed devices such as eye glasses, hearing aids, or wheelchairs;
4. Personal ~~a~~Assistance ~~s~~Services;
5. Job related services, including job search and placement assistance, job retention services, follow-up services, and follow-along services, i.e., Community Based Work Adjustment, Job Site Development (CBWAJSD), Community Based Work Adjustment (CBWA), Placement and Follow Along Job Site Development (P&FJSD), and Placement and Follow Along (P&F).

~~Customer Financial Participation for IPE Services~~ Upon completion of the FPA and the determination of services to be included on the IPE the counselor and customer will identify the specific IPE services that will be paid for by each party.

~~The FPA will be used to identify financial responsibility for IPE services.~~

It should be emphasized to the customer and vendor that, IDVR will not be responsible for the customer's debts, under any circumstances. If the customer's debts to a vendor inhibit the provision of services necessary to achieve the employment goal, IDVR will work with the customer to explore options for the continuation of services.

~~IDVR cannot, under any circumstances, pay for a customer's previous financial obligations or debts.~~

~~Financial Participation Assessment (FPA) Form~~

~~The VRC and customer will complete the FPA form in eligible status and identify the customer's financial participation responsibilities.~~

~~Estimate the cost for rehabilitation services each twelve (12) month period of the IPE. Calculate the amounts of participation to be provided by both the customer and IDVR for each twelve (12) month time period covered by the FPA.~~

~~Directions for Completion:~~

Exemption from Rrequired Pparticipation

Customers who receive SS~~DI~~ and/or SS~~DI~~ are exempt from not required to make a financial contribution ~~toward the cost of services~~. However, to ensure a customer qualifies for this

exemption, written proof of SSDI or SSDI qualification determination must be received. ~~This information will be used in completing the FPA form exemption status for SSDI and/or SSI recipients. It should be noted that customers who receiveing Social Security benefits from under retirement, spouse of retired worker, child of a retired worker, child of deceased worker, widow, parent of deceased worker, spouse of disabled worker, or child of a disabled worker would not be eligible for this exemption.- The VR Counselor must complete the top portion of the FPA certifying that the customer is exempt from any required financial participation. The VR Counselor will also make a note in the IPE and subsequent plan amendments that may be developed, in the appropriate section, outlining the customer's exemption.~~

Factors for Determining Customer Financial Participation

Several factors are considered to determine a customer's level of financial participation, including the customer's and/or spouse's income, estimated annual plan costs, exclusions such as impairment related work expenses, and available financial resources which exceed the Department of Health and Human Services (HHS) Federal Poverty Guidelines.

The following steps are taken to identify the level of participation:

The applicable income is subject to two calculations. The first calculation will determine the required participation by comparing income category and expected plan costs.

The second calculation identifies an annual maximum percentage of the applicable income that the customer will be required to contribute toward their plan costs and will not exceed 25% of the applicable income.

The lower amount of the two calculations above will determine the customer's expected annual contribution. All service costs anticipated or purchased during the twelve (12) month period covered by the FPA are to be considered in aggregate rather than individually calculated.

1. Income Data:

Customers (and spouse's if married) sources of income verification may include:

- Most recent year IRS tax filings,
- Employment Security Wage or Unemployment Benefit Reports,
- Employer generated pay stubs,
- Retirement program documents, or
- Documentation from public or private income support programs.
(TANF and food stamps are examples that are not considered income)

Modification

The customer or their representative may request modification to the FPA, as needed to adjust for changes in income or other circumstances (e.g., disability related costs and number of family members). If modification is requested, the customer, parent or guardian must provide income verification from the sources listed above.

Exceptional Cases In exceptional cases, circumstances may occur where rigid adherence to the Financial Participation Policy and Procedures could seriously jeopardize the customer's opportunity to achieve rehabilitation objectives and an employment outcome. In such cases, the VRC may elect to seek an exceptions to the policy may be considered by reviewing the case with

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the ~~Regional Manager RM and who will then seek an exception approval by the~~ Chief of Field Services, ~~or designee who will render a decision within ten (10) business days.~~

~~Total Income Excluded:~~

~~This figure is the Income Exclusion Allowance (300% of the Federal Poverty Level) plus exclusion of disability related expenses, per the Code of Federal Regulations—Title 34: Education: 361.54(2)(iv)(B).~~

~~For the purposes of this policy, the Social Security Administration's use of impairment related work expenses will serve as a guideline to disability related expenses. A disability related work expense is an expense for an item or service, which is directly related to enabling an impaired customer to work, and which is necessarily incurred by that customer because of a physical or mental impairment. To qualify as a disability related work expense, the expense must be paid by the customer. Expenses paid by sources such as health insurance, vocational rehabilitation and the employer are not considered a disability related work expense for the customer with the impairment.~~

~~Examples include, but are not limited to:~~

- ~~• The cost of attendant care services rendered in the work setting or in assisting the customer in making the trip to and from work is considered an IRWE, however attendant care rendered on non-work days or those performed at any time which involve shopping or general homemaking are not considered a disability related work expense. Additionally, attendant services performed for other family members such as babysitting, are not considered a disability related work expense).~~
- ~~• Durable medical equipment which can withstand repeated use, is used to serve a medical purpose, and is generally not useful to a person in the absence of an illness or injury, such as wheelchairs, hemodialysis equipment, respirators, pacemakers, traction equipment.~~
- ~~• The cost of the modification of vehicle (but not the cost of the vehicle) in order to drive or be driven to work, where the modification is critical to the vehicle's operation or its accommodation of the customer. The modification must be directly related to the impairment (without the modification the customer would either be unable to drive or would be unable to ride in the vehicle).~~
- ~~• Expenses paid by a person with blindness in owning a guide dog including the costs of purchasing a dog, food, licenses and veterinary services.~~
- ~~• Prosthetic devices that replace internal body organs or external body parts (a prosthetic device primarily for cosmetic purposes usually is not considered a disability related work expense).~~
- ~~• The cost of drugs and medical services necessary to control the disabling condition, thereby enabling the customer to work (drugs and medical services used for minor physical or mental problems not resulting in any significant loss of function such as, yearly routine physical examinations, dental examinations and optician services and eyeglasses, when unrelated to a disabling visual impairment, are not considered a disability related work expense).~~
- ~~• Work equipment and assistants that are required to accommodate the impairment and perform the job such as, a one-handed typewriter, telecommunications device and a job coach paid for by the customer.~~

~~Applicable Income:~~

~~This section enables IDVR to specify the extent of the expected customer cost responsibility toward the cost of services during the upcoming twelve (12) month period of expected plan expenditures. The Income Exclusion Allowance is adjusted annually and is set at 300% of Federal HHS Poverty Guidelines.~~

Determination of Required Participation:

~~The Customer Participation Table (Table A) is formulated to assess that portion of Applicable Income, which is considered to be available to meet the cost of services. The customer is expected to contribute toward the service cost(s) at the specified percentage of participation level. The amount of financial participation will not exceed the Annual Maximum percentage of the customer's Applicable Income. All services cost anticipated or purchased during the twelve (12) month period covered by the DPA are to be considered in aggregate rather than individually calculated.~~

TABLE A – CUSTOMER PARTICIPATION TABLE

Yearly Cost of Plan % of Participation

\$2,000 and Under	50%
Over \$2,000	75%

Certification:

~~The customer, parents or legal guardian completing the Financial Participation Assessment Form will be required toasked to provide verify, by signature, that the information provided is correct. The customer, parents or legal guardian should be advised that he/she will be asked to financial documentation the financial information provided for verification, from external sources, such as the most recent year IRS tax filings, Employment Security Wage or Unemployment Benefit Reports, employer generated pay stubs, retirement program documents, or documentation from public or private economic support programs. The form will then be signed by the VR counselor.~~

Applying the Financial Participation Assessment Information to Making Purchases:

If the customer has a financial participation requirement, it will be applied to purchases prior to assessing any caps from the Agency Payment Policy purchasing section (Section 12.29).

SECTION 9.0 PURCHASE OF SERVICES AND SUPPLIES FOR PARTICIPANT USE IN THE VOCATIONAL REHABILITATION PROGRAM

All purchases must follow fFederal, sState, and IDVR purchasing guidelines.

Purchases require written authorization (Authorization for Purchase (AFP)~~purchase order~~), prior to initiation of the service or the purchase of any equipment.

The responsibility for authorizing services and approving payment of those services must be assigned to separate employees.

Purchases will be made consistent with the prevention of discrimination due to race, religion, color, national origin, sex, age, and disability.

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The Rehabilitation Act of 1973, as amended, and its implementing regulations mandate procedures in the provision of services and methods of procurement. Customers with a disability served through the vocational rehabilitation program must be actively involved in choosing the vocational rehabilitation services they receive and the entities providing those services.

Consistent with procurement guidelines, a ~~VR counselor~~VRC cannot obligate ~~Idaho Division of Vocational Rehabilitation (IDVR)~~ to services that exceed his/her procurement authority. An Individual~~ized~~ Plan for Employment (IPE) that will include a service generating an ~~Authorization for Case Service~~(AFPCS) over \$5,000 will require the ~~Regional Manager~~RM's written approval of the IPE prior to the plan being approved. The ~~VR counselor~~VRC will inform the customer that the plan is pending approval during this process. An ~~A-AFPCS purchase~~ cannot be fragmented into multiple ~~AFPCS~~'s as a way to circumvent this approval.

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All purchases in excess of \$5,000 shall be reviewed and recommended by the ~~Regional Manager~~RM.

NOTE: Case service expenditures require written authorization prior to the initiation of the service or the purchase of any equipment. ~~Oral~~Verbal authorizations are permitted in emergency situations by the ~~Regional Manager~~RM or designee, but must be confirmed promptly in writing and forwarded to the provider. These authorizations are to be issued within three (3) business days of the beginning of the service.

The following principles shall guide customer purchases:

- A. The IPE is the primary document that determines the scope, duration and provider of services. The customer with a disability must agree to the terms and conditions of the IPE prior to services being provided.
- B. ~~VR counselor~~VRCs are required to determine the rehabilitation needs of the customer first, and then determine the provider and the procurement method. Costs, availability, success, experience providing the service, and customer research, are characteristics that guide the choice of the provider.
- C. The method of procurement is also determined in partnership with the customer. The Agency prefers that a state ~~Authorization for Case Services (AFPCS)~~ be provided to the selected vendor, with an invoice from the vendor documenting the service provision. Other methods are available, given the informed choice of the customer, including reimbursement.
- D. The provision of services must be consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, and informed choice of the customer.
- E. All purchased services that are evaluative and restorative shall be authorized prior to the provision of services. The Agency will ~~reimburse~~pay providers of medical services (both medical and psychological) based upon usual and customary fees for their area of specialization or based upon payment caps that have been imposed for specific services (Review Payment Policy – Section 12.2). Providers will be ~~reimbursed~~ paid at this rate independent of the customer attending the scheduled appointment.
- F. Staff will ensure fair and equitable treatment of all persons doing business with the Division.
- G. Purchases will be made consistent with the elimination and prevention of discrimination due to race, religion, color, national origin, sex, age, and disability.
- H. The responsibility for authorizing services and approving payment of these services must be assigned to separate employees.
- I. The customer's record of service ~~of the customer~~ shall contain necessary evidence and documentation of adherence to these principles.

- J. ~~Regional manager~~RMs are the Division's field service procurement liaisons and are responsible to ensure that staff have necessary training.

SECTION 10.0 INDIVIDUALIZED PLAN FOR EMPLOYMENT (IPE)

10.1 Options for Developing the IPE

The eligible customer or, as appropriate, the customer's representative may develop all or part of the IPE:

- A. Without the assistance from ~~Idaho Division of Vocational Rehabilitation~~ (IDVR) or any other entity

OR

- B. With assistance from:

- a. A qualified ~~vocational rehabilitation counselor~~VRC employed by IDVR.
- b. A qualified ~~vocational rehabilitation counselor~~VRC who is not employed by IDVR.
- c. Other resources.

IDVR will not pay for IPE development services from other providers. IPE development must be completed on IDVR forms.

The IPE must be agreed to and signed by the customer or, as appropriate, the customer's representative, the ~~VR counselor~~VRC, and, when required, the ~~IDVR Regional Manager~~RM or designee. An IPE is considered approved and services initiated only after all required signatures have been obtained.

A comprehensive assessment must be completed in developing the IPE as described in section 7.2.

Customers must receive the supports that will assist them in making informed choices.

Customers shall promptly receive a copy of their initial IPE and any subsequent IPEs. Copies shall be provided in the native language of the customer or through appropriate modes of communication if appropriate.

The record of services must support the selection of the specific employment outcome, the objectives of the IPE and the selection of providers of services. All goods and services, except assessment services, may only be provided in accordance with IPE.

An IPE can support one of the five following employment outcomes:

1. Competitive employment in the integrated labor market.
2. Self-employment
3. ~~Homemaker~~^[TP7]
4. ~~Unpaid family worker~~
5. ~~3.~~ Integrated employment with supports

IDVR must:

1. Reinforce the ultimate purpose of the IPE: To assist the customer to prepare for, secure, retain, or regain employment.
2. Insure that the customer fully understands that she/he must participate as an active and cooperative partner in the identification and selection, through informed choice, of a vocational goal, having a reasonable expectation for marketable success.
3. Insure that the customer fully commits to participate in the implementation and completion of the IPE.

10.2 Developing the Vocational Goal:

In selecting a vocational goal, it is important that the customer is actively involved in all phases of this development. Much research has been done to substantiate that the successful outcome of vocational rehabilitation increases when the customer is involved in every phase of the vocational planning. Vocational planning is built around vocational exploration, understanding the customer's medical and work history, his/her perception of disability, social habits, functional limitations, inherent aptitudes and transferable skills, vocational exploration through vocational evaluation, training options, and labor market research. The customer will explore the relationship of vocational objectives around his or her personal capabilities, interest, and situations and then attempt to understand the way these different factors impact and influence vocational potential. This information then helps the customer to develop the steps to a solid rehabilitation plan and provides tools for the customer to assess his/her current state of mind and to encourage positive self-initiated resolutions.

10.3 Ticket to Work

When a customer has a Ticket to Work through SSA and an approved VR IPE, their ticket is automatically assigned to IDVR, unless the ticket is already assigned to another employment network (EN). If the customer has a ticket assigned to another EN prior to IDVR involvement, the customer will be requested to reassign the ticket to IDVR. If the customer does not reassign their ticket, IDVR will need a copy of the work plan from the EN that the ticket was assigned to, to ensure that no service overlap occurs. It is the customer's responsibility to provide the ticket work plan.

An Agency verification program has been implemented that informs Maximus of all SSA recipients who have been placed into an initial IPE. If a recipient has been assigned a ticket by SSA, Maximus will designate the ticket as "in usage" at the time of notification by the Agency.

The ~~VR counselor~~ [VRC](#) should always inform the SSA recipient that the choice to participate in an active IPE program will restrict any option to assign the ticket to other employment networks (ENs) while participating in the VR program.

At closure, the ~~VR counselor~~ [VRC](#) is not required to contact Maximus. An Agency verification program has been designed to inform Maximus of case closure. This notification will re-activate the ticket for further engagement if desired by the customer.

At successful closure, it is highly recommended that a ~~VR counselor~~VRC provide a list of ENs who is capable of initiating follow-along services such as “Phase 2” and or “Monthly Outcome Payment” services. By referring the customer who is earning at Substantial Gainful Activity (SGA) level at closure to an EN, the probability of agency reimbursement at the completion of nine months of employment will be increased significantly.

10.4 The IPE must include the following:

- A. Using the information from the Comprehensive Assessment (Section 7.2) the ~~VR counselor~~VRC and customer must determine a specific employment outcome consistent with the customer’s unique strengths, resources, priorities, concerns, abilities, capabilities, career interests, and informed choice. In concert with the customer, the ~~VR counselor~~VRC must conduct a thorough market analysis to include job outlook and the customer’s economic expectations and needs. Planned services on the IPE should only entail those required to achieve the vocational goal.
- B. The specific rehabilitation services needed to achieve the employment outcome, along with the projected dates for initiation and anticipated duration of each service, including:
 - a. As appropriate, assistive technology devices, assistive technology services and personal assistance services including training in the management of those services;
 - b. As provided in the most integrated setting that is appropriate for the services and is consistent with the informed choice of the eligible customer;
 - c. Timelines for the achievement of the employment outcome and for the initiation of services;
 - d. A description of the entity or entities chosen by the eligible customer or, as appropriate, the customer’s representative that will provide the vocational rehabilitation services and the methods to procure those services;
 - e. A description of the criteria (“Plan Documentation”) that will be used to evaluate progress toward achievement of the employment outcome;
 - f. The terms and conditions of the IPE, will include information describing the responsibilities of IDVR and the customer to achieve the employment outcome;
 - g. The extent of the customer’s participation in paying for the costs of services;
 - h. The customer is required to apply for and secure comparable services and benefits when available. The responsibilities of other comparable service and benefit entities will be listed on the IPE;
 - i. As necessary, the expected need for post-employment services prior to the point of successful closure (Review Post-Employment – Section 12.14).

- j. A description of the terms, conditions, and duration of the provision of post-employment services;
- k. If appropriate, a statement of how post-employment services will be provided or arranged through other entities as the result of arrangements made pursuant to comparable services or benefits;
- l. Supported Employment – for customers with the most severe disabilities for whom a vocational objective of supported employment has been determined appropriate, the following must be addressed:
 - A description of time-limited services to be provided by IDVR not to exceed eighteen (18) months in duration, unless under special circumstances, the eligible customer and the ~~VR counselor~~VRC jointly agree to extend the time to achieve the employment outcome;
 - A description of an identified source of funding for the extended services needed (long-term support). If it is not possible to identify the source of such funding, a statement that there is a reasonable expectation that extended services will be available. *Extended services are provided by a State agency, a private non-profit organization, employer, or other appropriate resource, from funds other than IDVR.*
- m. In developing an IPE for a transition student with a disability, the IPE shall be prepared in coordination with the appropriate educational agency and will consider the student's Individual Education Plan (IEP) if one exists;
- n. Completion of the IPE for all School-Work transition customers, *before they exit the school system.*

NOTE: *Because of the capability of the Case Management tool, with the ability to clone plans, write new plans, edit features and delete completed services, there will be only **one active plan**, which is the current plan with all current services reflected on it. When the current plan is signed and approved by the customer and approving authority (counselor or supervisor) all previous plans will become void.*

10.4.1 Implementation of the IPE

The ~~VR counselor~~VRC should ensure that the IPE is developed and implemented in a timely manner, within ~~90 days~~four (4) months of the eligibility decision. *An exception may be made and must be documented^[TPS] ~~in case note~~ on or before the plan due date if this timeframe will be exceeded due to the needs of the customer.* Documentation should include customer readiness to implement the IPE (i.e. legal, family, medical, transportation, and housing issues) and the anticipated time frame for resolution of factors delaying IPE implementation.

10.5 Annual Review

The IPE must be reviewed annually by a qualified ~~VR counselor~~[VRC](#) and the customer to assess the eligible customer's progress in achieving the identified employment outcome. An approved plan amendment would replace an annual review.

10.6 IPE Electronic Case Management Functions

New Plan: The "New Plan" option is utilized when completing an initial plan or when the overall nature of the IPE is changed. This would occur when a new vocational goal is chosen and there are major changes in the planned services. Any time a new vocational goal is chosen, a new comprehensive assessment case note must be completed that supports the new vocational goal. Remember: with the development of a new plan, the ~~VR counselor~~[VRC](#) and customer will need to include all needed services and complete the pertinent comparable benefit documentation outlined in Section 11.0.

Clone: The clone feature is to be used when the basic nature of the plan is going to remain the same. This feature brings forward a full copy of the previous IPE and allows the ~~VR counselor~~[VRC](#) and customer to add new services. New services will be given new service numbers when they are added to the clone. It is important to add new services before deleting previous services from the plan that have been completed or expired. This keeps service number 1-2-3... in numerical order and allows for subsequent services to be numbered appropriately. Justification for the new services must be documented in the comments section of the Plan sub-page. *If the goal is changed without the need to modify services, the IPE can be cloned.* Change the goal and update the comprehensive assessment in a case note to justify vocational change. When adding new or expanded services to a clone, *always update the justification in the "documentation" box.* It is not necessary to clone the plan each time the price of a service outlined on a plan increases. This can be accommodated through the authorization showing the increased costs.

Edit: There are limited circumstances when editing an IPE is allowed. When editing an IPE, a ~~VR counselor~~[VRC](#), who meets CSPD standards, must document in a case note the customer's agreement with the edit of the IPE. The only two situations where an IPE can be edited are:

1. Changing the provider of a service

Generic services can be edited on an IPE, with customer agreement, without a customer's signature, prior to the initiation to that service. Non-generic services cannot be edited. No service may be added to the IPE through the edit process.

- a. Generic services – Tutoring, computer equipment / software, auto repairs, books, transportation, community rehabilitation services, child care, clothing, academic testing, dental work, dialysis, driver's training, eye glasses, functional capacity evaluation, GED, hearing aids, information referral services, insurance, kidney related services, lab work, licensure, maintenance, medication, vocational adjustment, tools and equipment, supplies, and x-rays.
- b. Non-generic services – Medical examination, diagnostic examinations, case management, post-secondary education, medical records, counseling and

guidance, treatment, evaluation, hospitalization, interpreter services, education and evaluation, therapy, OJT, other services, personal assistant services, psychological consultation, prosthetics / orthotics, rehabilitation technology, rehab engineering, self-employment technical assistance, surgery, transition planning, and vocational evaluation.

2. Changing the cost of a service

The cost of services on the IPE can be edited if the cost increase is 10% or less for that particular service.

Plan Approval Authority:

~~VR counselor~~VRCs who do not meet CSPD will continue to require ~~Regional Managers (RM)~~ approval for all plans. RMs ~~may~~can, at their discretion, delegate this function to an Assistant Regional Manager (ARM) or other senior counselors at a level 2 or 3.

Annual Review: Upon completion of annual review with customer, the ~~VR counselor~~VRC must complete annual review function in Case Management System.

SECTION 11.0 COMPARABLE SERVICES AND BENEFITS

11.1 Comparable Services and Benefits

Each eligible customer will be required to identify, with the ~~VR counselor~~VRC, all potential comparable benefits that may be available during the development of the Individualized Plan ~~off~~for Employment (IPE). If comparable benefits ~~and services~~ are available for VR services, including accommodations, personally prescribed devices (hearing aids, eyeglasses, or wheelchairs) and auxiliary aids and services (interpreter and reader services), they *are required* to be utilized, to meet, in whole or in part, the cost of vocational rehabilitation services. Comparable benefits and services should be utilized before ~~Idaho Division of Vocational Rehabilitation (IDVR)~~ agency funds are expended.

Provision of Services:

1. If comparable services or benefits exist under any other program and are available to the customer at the time needed to ensure the progress of the customer toward achieving the employment outcome in the customer's IPE, the designated State unit must use those comparable services or benefits to meet, in whole or part, the costs of the vocational rehabilitation services.
2. If comparable services or benefits exist under any other program, but are not available to the customer at the time needed to ensure the progress of the customer toward achieving the employment outcome in the customer's IPE, the designated State unit must provide vocational rehabilitation services until those comparable services and benefits become available.

The utilization of comparable services and benefits does not apply in the following situations:

- A. If the determination of the availability would delay the provision of vocational rehabilitation to any customer who is at extreme medical risk. A determination of extreme medical risk shall be based upon medical documentation provided by an appropriate licensed medical professional and means a risk of substantially increasing functional impairment or risk of death if medical services are not provided expeditiously. It is strongly recommended that such cases receive medical consultation review whenever possible.
- B. If an immediate job placement would be lost due to a delay in the provision of comparable benefits.

11.2 Exempt Services

The following categories of service are exempt to the requirement that comparable services and benefits be utilized:

- A. Medical, psychological or other examination to determine eligibility.
- B. IDVR counseling, guidance, information and referral, and IDVR job related services including: job search and placement assistance, job retention services, follow-up services, and follow along services.
- C. Evaluation of vocational rehabilitation potential.
- D. Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices. [Exemption of rehabilitation technology services does not extend to auxiliary aids or services or personally prescribed devices, such as eye glasses, hearing aids, or wheelchairs.](#)
- E. Post-employment services that are outlined through A-D.

11.3 Timeliness of Comparable Benefits

If a comparable benefit exists, but is not available to the customer at the time needed to satisfy the rehabilitation objectives on the IPE due to no delay on the part of the eligible participant in seeking such benefits, IDVR may provide services until the comparable benefits become available.

SECTION 12.0 VOCATIONAL REHABILITATION SERVICES

12.1 Timeliness

The ~~VR Counselor~~[VRC](#) and customer require adequate time to accomplish all steps in the VR process to reach a determination and approval of an agreed upon feasible employment goal. VR services, other than assessment services, are initiated when the steps to this process have been

completed and a plan is in place. Sufficient time must be allowed for the completion of a comprehensive assessment prior to implementation of IPE services.

Post-Secondary Training (PST) and other IPE services are VR services that are provided when it is required for a VR customer to become a competitive applicant for an approved IPE goal. If an applicant for VR services expresses an interest in a vocational goal that requires Post-Secondary Training and the VR applicant is either already enrolled or desires to start a PST program within six (6) months of application, IDVR reserves the right to assert that six (6) months or less may not be adequate to complete the process described above.

12.2 Agency Payment Policy

NOTE: Many of the services listed below include *maximum agency contributions*. This section outlines in detail the payment policy of ~~Idaho Division of Vocational Rehabilitation (IDVR)~~ in regard to specific services. It is the policy of IDVR to pay usual, customary and reasonable charges for services provided to its customers by providers ~~of goods and services~~ except for the following list. An ~~“eException Policy”~~ to the payment policy is included at the end of this ~~sub~~section, explaining that the payment caps established may, on occasion be exceeded. It is important to emphasize that IDVR is not obligated to pay the total cost of services required to ensure that a customer achieves an employment outcome. When appropriate, customers are required to utilize Comparable Benefits and Services (Section 11.0). Personal participation in the payment of some portion of the costs of a vocational plan may be required based upon the particular service selected as well as the identification of personal resources that could be applied toward the cost of the targeted service.

Social Security Beneficiaries (SSI or SSDI):

Social Security disability benefits recipients are not required to participate financially towards any costs.

Applying the Financial Participation Assessment Information to Making Purchases:

If the customer has a financial participation requirement (Section 8.0), it will be applied to purchases prior to assessing any caps from the purchasing section.

Rates of Payment:

~~These f~~Fees are established in accordance with ~~F~~federal guidelines that permit an agency to establish fee limits for services designed to ensure a reasonable cost to the program for each service. Whenever appropriate, a competitive process will be used to achieve a reasonable price. Idaho is a low bid State; therefore, the lowest bid, meeting specifications, will ~~then~~ be the maximum amount IDVR will contribute to the purchase of goods or services. The Payment Policy will determine the maximum that IDVR will contribute to the purchase. For items not included in the payment policy, the usual, customary and reasonable rate will be used for the service, not to exceed the rate charged other public agencies. The services that will meet the customer's need, at the least cost to IDVR, shall be the service purchased. All decisions on cases, including fee for services, are determined on an individual case basis. The customer may choose his or her preferred vendor, ~~howeverbut~~ if the ~~cost of the services~~ ~~client chooses a product or vender that~~ exceeds the maximum ~~rate of~~ payment ~~rate~~ established by the Payment Policy, the customer will be responsible for the excess amount.

IDVR Payment Rates:

1. **Post-Secondary Training:** IDVR provides financial assistance for ~~Post Secondary~~Post-Secondary Training. Listed below are maximum assistance allowances to apply toward all training and educational programs including college, university, vocational-technical, truck driving, cosmetology, business school, computer training, commercial pilot training, etc.

The established percentage support applies to ALL tuition and fees including any associated health insurance fees.

- a. **Pell Grant/-Financial Aid:** Any customer planning on attending an institution that is eligible for Pell Grant funding must complete the Free Application for Federal Student Aid (FASFA) application and receive an award or denial letter prior to any IDVR financial participation. All PELL grant proceeds must be applied first toward tuition and book expenses before IDVR assistance is provided.

Any non-merit grants or scholarships must also be applied to tuition, fees and books before IDVR assistance is applied.

A merit scholarship, based on academic standing or achievement, can be utilized at the student's discretion.

Student loans, including Federal student loans, can be utilized at the student's discretion.

In situations where a comparable and accessible Pell Grant and non-Pell Grant supported programs co-exist, IDVR requires utilization of the Pell Grant supported program.

An exception for IDVR financial support to a non-Pell Grant supported program (when a comparable Pell Grant supported program exists) can be granted after review and approval by the ~~Regional Manager~~RM if the student can show extenuating circumstances and/or other very strong rationale for attending the non-Pell Grant supported program.

- b. **Tuition:** IDVR will pay up to 90% of the total tuition and fees of any Idaho Public Post-Secondary Institution.

For customers choosing out of the state or private institutions IDVR will pay up to 90% of the tuition and fees up to 90% of the highest Idaho Public Post-Secondary Institution offering the same program.

- c. **Non-Idaho Public Education and Training Institutions**~~Out-Of-State Education and Training~~: Public ~~or~~and private ~~post-secondary~~post-secondary

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institutions including colleges, universities, vocational technical schools, and other educational and training institutions ~~outside the State of Idaho~~ (see 12.5).

Normally, IDVR financial participation will be limited to equivalent rates established for in state education and training with the following exceptions;

- i. If a customer's vocational goal requires an educational degree that is not available at a ~~S~~state of Idaho public institution, IDVR will pay a maximum of ~~TP9~~ 12.5 times the rate of ~~atwo~~ single semester's tuition of the University of Idaho.
 - ii. If the course of study is offered in-state, because of the additional costs caused by accommodations for disability, it would be more cost effective for the Agency to support the attendance of the customer at an out-of-state educational institution~~one~~; ~~then~~ VR may pay the training rates established for out-of-state programs.
- d. Summer Sessions:** Summer sessions are generally considered optional for academic programs. Therefore additional funding is typically not allotted for summer sessions.

Payment for a summer session will be considered with approval from the ~~Regional Manager~~ RM. Maximum assistance rates will be established according to the length of the term, i.e. semester, trimester, quarter. Approval or denial for summer school assistance will be considered if it meets any of the following conditions;

- i. IDVR may pay for summer session if it is a required part of a program.
- ii. IDVR may pay for summer session in exceptional cases where a disability-related reasonable accommodation is verified.
- iii. IDVR may pay for an additional summer session if by attending the session the customer will be able to complete the college or university degree program by the end of that session.
- iv. IDVR may pay for a summer session if by attending the session the customer will be able to complete the college or university degree program within the timelines identified on the IPE.

2. Books:

Where available and feasible, customers are required to use rental text books or e-books. All rented books need to be returned – customer will be billed when books are not returned.

If unavailable for rent or e-book format, some text books may need to be purchased. The expectation is that used books will be purchased when available. All books purchased by

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IDVR must be returned to IDVR unless negotiated previously with ~~VR counselor~~ VRC (where the book may be used for additional classes, reference, or for disability reasons).

IDVR will pay a maximum of 90% of the text books. If non-merit grant funds are remaining after paying tuition and fees they must be applied to books.

- 3. Medical Insurance for students in post-secondary education:** IDVR may pay for medical insurance for students while attending an institution that requires medical insurance. If the student has medical insurance or can obtain medical insurance ~~at no extra cost~~ that meets the institutions requirement, IDVR will not pay for medical insurance.

Note to staff: this must be issued as a separate authorization and classified as insurance.

4. Medical exams with written report:

- a. General Physical exam - \$65 maximum
- b. Specialist exam by M.D. - \$350 maximum, plus actual cost of related procedures (e.g. x-rays).

- 5. Psychiatric Evaluations:** \$250 maximum for the evaluation plus one medication monitoring sessions that is considered a diagnostic.

- 6. Psychological Exam by Licensed Psychologist:** \$200 maximum plus actual cost of psychometric tests.

- 7. Ophthalmologist:** The specialist fee (\$350) for an ophthalmologist will be authorized when diseases of the eye are present and cannot be dealt with by an Optometrist.

- 8. Optometrist:** Maximum fees are established for general visual exam, accompanying test, frames and glasses. Tinted glasses require a prescription for IDVR payment.

Procedure Fees:

Visual Exam \$85

Frames w/ Single Vision Lenses (per pair) \$165

Frames w/ Bifocal Lenses (per pair) \$185

Frames w/ Trifocal Lenses (per pair) \$210

Contact Lenses – Contact lenses cannot be purchased for clients unless there is documentation by an Ophthalmologist or Optometrist that there is a medical or visual need. Maximum assistance - \$125

- 9. Psychotherapy / Counseling Sessions:** IDVR recognizes the benefits of additional training, education, and credentialing and has established the following payment policy for customer psychotherapy and counseling.

- a. Doctorate level licensed psychologist up to \$100.00 per session.

- b. Masters level clinician (to include LPC, LCPC, MSW, LCSW, and ACADC) up to \$80.00 per session.
- c. Bachelor's level counselor (CADC) up to \$40.00 per session.
- d. Group Counseling – IDVR also recognizes the importance of group counseling as a part of mental health restoration and as a supplement to customer counseling. The following payment policy has been established for group counseling (not to include family counseling). Group counseling up to \$25.00 per session.

The maximum that can be spent on any psychotherapy or counseling services is \$1,000.00 for the life of the case.

10. Medication and Medication Monitoring:

Maximum: 3 months of medication identified on an IPE with one additional month if needed for diagnostic purposes, -for a—total of 4 months, while customer applies for reduced cost or free medication programs provided by drug companies or other sources of comparable benefits.

Maximum: 5 sessions of medication monitoring identified on an IPE. This does not include the one follow-up that is part of the evaluation.

- 11. Dental Work:** including but not limited to, fillings, extractions, crowns, and dentures. Dental Work would need to create an impediment to employment and must be appropriate to the identified employment goal.

Maximum: \$500 per case

12. Hearing Aids:

Maximum: \$1,000 per hearing aid. Cost must include insurance for free replacements for one year.

Audiologist exam: \$85.00 maximum

13. Transportation:

- a. Public conveyance (bus, van) – Actual cost of service
- b. Private vehicle not to exceed \$60 maximum per month within a 20 mile radius or up to a maximum of \$200 per month outside the 20 mile radius.
- c. Taxi Services – In areas without public conveyance, IDVR will not exceed \$60 maximum per month.

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14. Car Repairs: Maximum: \$300 per case (except for cost of reasonable accommodation for disability). IDVR will not pay for customary general car maintenance (i.e. oil changes, tire rotations, ~~ete~~etc.).

15. Auto Insurance: Maximum six (6) months of auto insurance. VR will only pay necessary auto insurance required to cover the VR customer as a vehicle operator.

16. Vehicle Purchase:

Maximum: \$5,000

- IDVR does not purchase new vehicles (12.9).

17. Maintenance: Maintenance means monetary support provided to a customer for expenses, such as food, shelter, and clothing, that are *in excess* of the normal expenses of the customer and that are necessitated by the customer's participation in an assessment for determining eligibility and vocational rehabilitation needs or the customer's receipt of vocational rehabilitation services under an ~~I~~individualized ~~P~~plan for ~~employment~~Employment (IPE). (Ref 34 CFR Part 361.5 (35)).

NOTE: *Counselors cannot pay maintenance for those existing living costs that a customer would normally incur regardless of the customer's participation in a plan of vocational rehabilitation services.*

Maximum: \$2,000 total per Federal fiscal year.

18. Copy Fees:

Maximum: \$25 for a copy of records or reports.

19. Community Rehabilitation Programs (CRPs):

- a. Maximum hourly rate for community based services - \$47.80/hour.

Services purchased from CRPs are not subject to the allowable maximum for training and educational expenses.

~~Regional Manager~~RMs can approve exceptions to the following limits:

- All types of Job Site Development - maximum 40 hours per strategy.
- Community Based Work Evaluation (CBWE) – maximum 40 hours.
- ~~and~~ Community Based Work Adjustment (CBWA) – maximum ~~25~~40 hours.
- Placement & Follow Along (P&F) – maximum 15 hours.

- Community Supported Employment (CSE) Job Coaching – maximum 40 hours.

b. Maximum daily rate for in-house work evaluation, work adjustment - \$69.55/day.

20. Tools & Equipment:

Maximum: \$1,500 per case. Agency inventory tools and equipment will count towards the \$1,500 maximum. *The ~~VR counselor~~ VRC must always negotiate in the best interest of the agency on cost services and must get three bids, if vendors are available, on all durable equipment (reusable) value at ~~\$500~~ \$300 or more.*

Tools will need to be required for training or employment and must be verified by the school or employer.

Exception: If there is a change in employment outcome, the customer must return the original tools to VR. After the tools have been returned, then VR may purchase new tools up to the \$1,500 maximum for the new employment outcome.

NOTE: *A Property Agreement must be secured on all durable equipment or reusable supplies that exceed ~~\$500~~ \$150 in value.*

21. On-~~t~~The-Job Training (OJT) Fees:

(See section 12.5 On-The-Job Training)

Maximum: \$3,000 for a salary of \$9.00 per hour and under; \$5,000 for a salary between \$9.01 - \$15.00 per hour; \$7,500 for a salary of \$15.01 or more. There is a 20 hour a week minimum.

- a. The ~~VR counselor~~ VRC must negotiate OJT fees based on:
 - Employer's cost to train the individual above the normal level of training
 - Level of technical skills required for job
 - Number of hours worked
- b. The Individualized Plan ~~for~~ Employment (IPE) and OJT Agreement must include:
 - Cost of training
 - Length of time (# of months)

~~VR counselor~~ VRCs are strongly encouraged to negotiate a decreasing payment schedule with the employer.

22. Computers including hardware and software:

Maximum: \$500 per case, except for disability related assistive technology.

23. Self-Employment Plans – (see Section 12.10)

24. Child Care:

Maximum: Up to \$300 per month per case.

25. Reimbursements for Fines:

IDVR will not pay for costs associated or incurred due to illegal behavior (fines, restitution, and reinstatements due to legal related suspensions).

26. Advanced Degree:

IDVR may assist with an advanced degree based upon the rehabilitation needs of the customer. (See section 12.5)

27. Typical exclusions from VR financial participation:

- a. Securing a private pilot's license
- b. Organ transplantation
- c. Surgery; Surgery may be provided if it is not the sole vocational rehabilitation service needed for the customer to return to work or to achieve an employment outcome.

IDVR will only cover the cost of surgery if it will substantially reduce functional limitations. It is highly practical and appropriate for the ~~VR counselor~~VRC to explore alternative employment opportunities with the customers that may negate the need for the corrective surgery. Such an alternative should accommodate the customer's functional restrictions and provide a level of income that would be comparable with potential earnings following a surgery.

NOTE: *When physical restoration services for customers who have a temporary disability, which will be eliminated by surgical care in an acute general hospital, is the only vocational rehabilitation service to be provided, and the condition is likely to be remedied by relatively routine medical intervention with no significant lasting effects, the RSA position is that such cases should be referred to other agencies. Such services should not be paid for under vocational rehabilitation auspices. – (RSA Position Paper, 3/28/80, Robert R. Humphreys, commissioner of RSA)*

28. No Shows:

If a customer does not attend an appointment and does not cancel or reschedule, the customer will be responsible for payment of any charges – not VR.

If VR authorizes for an interpreter to be present and the customer does not attend, VR will cover cost of the interpreter through administrative authorization.

Exception to Rate of Pay Policy:

The Rehabilitation Act of 1973, as amended, requires that IDVR have a policy that allows for exceptions to the Payment Policy, unless the exception would violate State or Federal laws. All exceptions will be reviewed on an individual case basis.

Exception to Rate of Pay Process:

To be considered for an exception, the ~~customer~~ and ~~VR counselor~~VRC should first seek approval from the ~~Regional Manager~~RM. ~~Regional Manager~~RMs have the authority to approve the exception as long the exception is not more than 50% of the service cap. Greater than 50% of the service cap will require the approval of the Chief of Field Services. The ~~Regional Manager~~RM shall submit the request for the exception in writing to the Chief of Field Services.

The request must include:

1. A description of the requested exception.

Detailed reasons why the customer, ~~VR counselor~~ VRC and manager (when appropriate) believe the exception is warranted. The Chief of Field Services (or ~~Regional Manager~~ RM when appropriate) will have ten (10) days from the date of receipt of the request to make a decision. If the request is approved, written notification will be sent to the ~~Regional Manager~~ RM (when appropriate) and this will be placed in the case file.

The Chief of Field Services reserves the right to deny any request.

If a request for exception is denied, the customer must be informed of the reason why and of his/her right to appeal the decision within ten (10) days of notification of the denial.

Reasons for Exception:

The items listed below are not all inclusive, but do contain the major reasons that will be considered in determining if an exception to policy will be granted. Financial need alone is not always sufficient grounds for ~~asking for~~ requesting an exception. While a customer may present one or more of these reasons for an exception, ~~VR counselor~~ VRCs should use discretion in requesting an exception. It is sometimes the nature and scope of the reason and not the number of reasons that may justify the exception.

1. The need is disability related.
2. The customer has used all sources available; including his/her own financial contribution, as well as all available Federal Financial Aid in post-secondary training situation, insurance, Medicaid, Medicare, and other resources typically used by persons without disabilities.
3. Changes in circumstances resulting in loss of income or support making previously available resources unavailable.
4. Service is not available, in certain geographical locations of the ~~s~~State, within the Payment Policy maximums.

12.3 Counseling and Guidance

~~Idaho Division of Vocational Rehabilitation~~ (IDVR) recognizes that vocational counseling and guidance is the key element in the rehabilitation process in that it is the method ~~for~~ of involving the customer and significant others in that process. It begins when the customer contacts the agency and does not end until closure as successfully rehabilitated ~~ion~~ or through the completion of the post-employment period.

Vocational counseling and guidance, including referral and placement, are essential VR services provided by the ~~VR counselor~~ VRC throughout the rehabilitation process. This is the *primary service* in the VR plan.

Counseling, guidance and placement should be an integral part of every IPE regardless of other services because it is the best method of coordinating services and maintaining a good working relationship with the customer. This is also the method used by the counselor to facilitate customer input. The ~~VR counselor~~ VRC gathers the necessary information for providing vocational counseling and guidance services from a wide variety of sources, including, but not limited to:

- A. Medical and psychological information.
- B. Vocational evaluation information including labor market information, job analysis, aptitude and interest information, situational assessments and trail work experiences.
- C. Analysis of transferable skills.
- D. Rehabilitation technology, including rehabilitation engineering.

Counseling will address vocational and personal adjustment issues that are creating barriers to the customer obtaining and maintaining employment.

Counseling will be provided in a respectful manner encompassing the core conditions of helping. These will include unconditional positive regard, genuineness and congruence. Counselors will always maintain a professional demeanor and not allow counseling issues to become personal. Counselors are to follow the canons of ethical behavior and practice outlined by the Commission on Rehabilitation Counselor Certification (CRCC) Code of Ethics.

Counseling services must be provided in every case but will vary depending on the needs and complexities of each individual customer. Frequency of guidance and counseling contacts is determined at plan development and included on the IPE. Case notes will reflect contact and content of meetings. *A monthly summary of guidance and counseling activities is the agency "best practice" norm for recording progress.*

12.4 Physical and Mental Restoration Services

These are services necessary to correct or to substantially modify a physical or mental condition that is stable or slowly progressive. *Before medical restoration is provided, there must be documentation that the clinical status of the customer is stable or slowly progressive and the service is a requirement for the customer's successful employment. The medical consultant shall review the record to insure the adequacy of medical information, advice on the service requirement, educate the counselor on the procedure and required follow-up, and provide any necessary liaison with medical community.*

Current maximum financial contributions by IDVR for specified services can be found in the "Payment Policy" section 12.2 of the manual (See also section 12.2 ~~subsection~~ "Typical Exclusions" and section "Comparable Benefits"). For all other services listed below, IDVR will pay the prevailing "Usual and Customary" charges after a comprehensive assessment of potential or available comparable benefits and resources has been conducted.

12.4.1 Concurrent Acute or Chronic Conditions Arising from Physical or Mental

Restoration: Services necessary to assist with acute treatment or care for a condition associated with or arising from physical and mental restoration services that are on the IPE. Comparable benefits will always be explored prior to authorization of this service. *The medical consultant should be utilized to determine the medical rationale for such services whenever possible.*

These services should be provided in the least intensive medical environment appropriate.

In the case of a chronic condition which does not appear to be resolving in a reasonable amount of time, consultation with the medical consultant should be used to determine whether a case should be closed.

12.5 Training Services

12.5.1 Disability ~~r~~Related ~~t~~Training ~~s~~Services

Disability related services include, but are not limited to: orientation and mobility, rehabilitation technology, speech reading, sign language, and cognitive training/retraining.

12.5.2 Post-Secondary Training

Post-Secondary training is provided when necessary to become a competitive applicant for an agreed upon IPE goal that reflects the customer's interests and informed choice to the extent that those factors are consistent with a customer's strengths, resources, priorities, concerns, capabilities and abilities. IDVR may support graduate study when the customer's employment objective is otherwise unachievable.

Prior to providing post-secondary training, comparable benefits shall be determined. The customer is required to complete and submit for processing the Free Application for Federal Student Assistance (FAFSA). The resulting Student Aid Report (SAR) and Financial Aid Award Letter will determine the Federal grant awards available that are to be applied to tuition, books and fees. Proof of financial award status *is required to be placed* into the record of services for all customers sponsored in post-secondary education by IDVR for training and degrees that are eligible for grants. Examples of proof include; the SAR, Financial Aid Award Letter or Post-Secondary Institution Student Budget, Compromise and Release documents from Worker's Compensation.

All non-merit scholarships and grants to be applied to tuition, books and fees as a first dollar source, prior to the consideration of expenditures of IDVR funds. Merit based funding may be applied to any legitimate college costs as determined by the customer, with no comparable benefit test required.

When IDVR has a joint case with another VR agency (Veterans Administration, Tribal Vocational Rehabilitation, Idaho Commission for the Blind and Visually Impaired, or another state VR agency) the sharing of case cost shall be done in a way that multiple agencies are not paying for the same service.

The FAFSA Expected Family Contribution, Student Contribution, Work Study and other grants must be considered in meeting the financial needs of the customer's post-secondary education to the maximum extent possible.

Customers are required to submit an application for FAFSA whether or not they believe they are eligible for funding. *This process should occur along with the verification of determination of eligibility/ineligibility for financial aid prior to IDVR developing an Individualized Plan of Employment (IPE) and participating in financial assistance for a post-secondary education.*

12.5.2.1 Out of State Training

Out-of-State Post-Secondary Education

- a. If the VR customer must attend an out-of-state institution because the course of study is not offered within the state of Idaho, please see section 12.2.
- b. If the course of study is offered in-state, but because of the additional costs caused by the accommodation for disability, it would be more cost effective for the agency to have the customer attend the out-of-state educational institute, see section 12.2.
- c. If the customer chooses to attend an out-of-state institution when comparable training is clearly available in the state, see section 12.2.

12.5.2.2 Progress Measures

Customers must maintain a term and cumulative grade point average that meets the school's academic requirements, program entry requirements, or a minimum of 2.0 GPA whichever is higher and must demonstrate timely progress towards meeting the goal of the IPE. The VR financial participation towards schooling may be paused if academic progress is such that the customer will not qualify for entry into the program stated on their IPE.

If the customer is placed on academic probation, or does not meet the standards stated above, s/he has one grading period in which to attain good standing. IDVR financial participation will terminate after that grading period until the customer achieves good standing.

If a customer does not pass a course(s) or withdraws following the designated drop period for the post-secondary institution, she/he is responsible to cover costs to repeat the course(s). *This understanding should be documented on the IPE that supports the training services.*

If a customer take an incomplete, she/he is responsible to complete the course(s) as designated by the institution and may be responsible to pay for the repeat of the course(s) *based upon whether or not active participation in the original coursework was demonstrated as agreed upon in the IPE. Disability-related interruptions will serve as justification for an incomplete, but should be carefully assessed to determine the feasibility of extending a particular program.* If a customer is unable to complete a course(s) due to a disability related issue, IDVR may assist in coordinating with the institution to resolve the matter (examples: finances, withdrawals, incompletes, etc.).

IDVR post-secondary educational support will cease if the customer has an expulsion for academic dishonesty.

12.5.2.3 Loan Defaults

VR funds may not be utilized to pay for post-secondary education if a customer has defaulted on a State or Federal student loan. If a good faith effort is being made to come out of default status, VR funding may be available. The University or College Financial Aid office may be able to assist in unusual circumstances. Additional information can be obtained at the U.S. Department of Education website <http://studentaid.ed.gov>, section “Repay Your Loans.”

12.5.2.4 Loan Deferment

Consumers may be eligible for temporary suspension of loan payments during specific conditions such as, returning to school, unemployment, disability, or military service. Additional information may be sought through the Financial Aid Office at the school the student plans to attend.

12.5.2.5 On-the-~~J~~job-~~T~~training (OJT)

An OJT is for a customer that is hired by an employer that needs specific training to achieve the employer’s expectations. On-the-job training requires the completion and signing of the IDVR OJT Agreement between the customer, counselor, and employer, which states the hourly wage, the specific training needs, responsibility for Workers’ Compensation coverage and any other conditions of employment. IDVR pays a training fee for OJT, not reimbursement or wages.

12.6 Benefits Counseling

Benefits counseling includes an informed discussion of the customer’s benefits, employment status, consideration of work incentives, and the impact on existing or potential benefits a change in employment may create. All social security recipients should receive benefits counseling services.

12.7 On-the-~~J~~job-~~S~~upports

On-the-job-support services are provided to a customer who has been placed in employment in order to stabilize the placement and enhance job retention. Such services include; job coaching, follow-up and follow-along, and job retention services.

12.8 Job Placement of Customers

All customers have the obligation to be involved in their own job search activities to the fullest extent possible. The customer and the ~~VR counselor~~VRC will work together to identify the supports necessary for job search and placement. Some of the job search activities could include:

- Communication and presentation skills.
- Gaining access to and using information.
- Introducing customers to specific programs such as job centers.
- Gaining networking skills.
- Use of online job search and applications.
- Community Rehabilitation Provider (CRP) services.

- Providing information around Federal and State employment opportunities.

IDVR does not pay fees to private staffing/employment agencies.

12.8.1 Community Rehabilitation Providers (CRPs)

Community Rehabilitation Providers may be used to assist a customer as they prepare to obtain or maintain employment. CRP services may only be provided if they are agreed to by customer, ~~VR counselor~~VRC, and CRP. The CRP services should be consistent with the customer's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and be the informed choice of the customer. Potential employers contacted by the CRP should be informed of the CRPs contractual relationship with IDVR. If workplace accommodation or assistive technology needs are identified for a customer, IDVR staff will be involved in addressing the accommodation needs with the employer (this is not referring to job coaching accommodations).

If services are contracted out to a CRP:

1. The customer and ~~VR counselor~~VRC will review the available list of CRP vendors and the services offered by each and will make a selection. This process should be noted as "customer choice" when documenting the choice of the CRP vendor and services to be provided. The customer will sign an information release form authorizing communication between the selected vendor and IDVR.
2. The customer and ~~VR counselor~~VRC will contact the CRP to discuss required services, negotiate and agree upon time frames and costs.
3. The ~~VR counselor~~VRC will submit referral information necessary for the CRP to provide the agreed upon services.
4. The customer, ~~VR counselor~~VRC, and CRP will have a staffing prior to initiating services (this staffing can be by phone or in person).
5. The ~~VR counselor~~VRC and customer will develop and agree to regularly scheduled contacts while receiving CRP services (minimum once a month).
6. The customer, ~~VR counselor~~VRC, and CRP will mutually agree upon frequency of contacts to monitor progress, quality, and duration of services provided.

Employers should be educated with regard to the fact that a person eligible for vocational rehabilitation services under ID. Title 33, Chapter 23, Idaho Code and the Administrative Rules of IDVR, who is placed with an employer through the authorized services of a CRP for community-based evaluation, community-based work adjustment or community supported employment (CSE) training is covered for liability purposes through the Worker's Compensation Insurance carried by the CRP unless an actual customer has actually been hired by a targeted employer prior to the provision of authorized services.

12.8.2 Schedule A Appointing Authority in the Federal Government

5 CFR 213.3102 (t) (cognitive impairment), (u) (severe physical disabilities), and (gg) (psychiatric disabilities) are combined into one streamlined authority, 5 CFR 213.3102 (u). This authority is used to appoint persons who are certified that they are at a severe disadvantage in

obtaining employment because of disrupted employment due to hospitalization or outpatient treatment for the severe disabilities listed above.

Appointment and Certification Process

IDVR can assist customers with disabilities (whether IDVR customers or not) in completing the Schedule A process. Information on how to assist customers with disabilities with the Schedule A process can be found at:

www.eeoc.gov/eeoc/initiatives/lead/upload/abc_applicants_with_disabilities.pdf or http://www.opm.gov/disability/appointment_disabilities.asp

12.8.3 Alternative Hire Process for Employment with State Government

Within the IDAPA rules (15.04.01) of the Division of Human Resources and Idaho Personnel Commission exists the provisions and protocol entitled: 097 “Alternative Examination Process for Persons with Disabilities,” under this rule:

1. The ~~VR counselor~~[VRC](#) determines the need for the Alternative Hire process by documenting that the customer cannot competitively compete for the job due to a disability(ies).
2. The ~~VR counselor~~[VRC](#) determines that the customer meets the criteria for the alternative hire program.
 - Disability limits one or more functional areas.
 - The customer meets the qualifications of the class.
 - The customer lacks competitiveness in the normal hiring process due to disability.
3. The ~~VR counselor~~[VRC](#) will complete the Application for the Alternative Hire Program Form. Include a letter to Idaho Division of Human Resources (DHR) explaining why the customer cannot compete through the normal examination process due to his/her disability. The examination process includes application, testing, and interviewing.
4. The ~~VR Counselor~~[VRC](#) will staff the case with the [Regional ManagerRM](#) for approval. The [Regional ManagerRM](#) will subsequently forward the application to the VR Administrator for final approval.
5. IDVR Administrator approves/disapproves. If approved, the application will be forwarded to the Administrator of the Division of Human Resources for final review.
6. Upon approval from DHR, the ~~VR counselor~~[VRC](#) proceeds with the Alternative Hiring Process to the hiring authority.

Note: This process requires the use of the “Alternative Hire Application.”

12.9 Vehicle Purchase

Vehicle purchase may be provided if it is not the sole vocational rehabilitation service needed for the customer to return to work or to achieve an employment outcome. The vehicle purchased

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will be only at a level to meet the vocational rehabilitation need of the customer. If the customer desires a vehicle above and beyond the level of vehicle needed to meet the vocational rehabilitation need they will be required to pay the cost difference between the two. This amount would not count towards the customer's financial participation requirements and IDVR will not be party to associated financial obligations.

Purchase of vehicles for a customer is allowable only when the occupation of the customer will require a vehicle as occupational equipment. The agency may not purchase a vehicle for a routine need for transportation to and from a place of employment.

The vehicle will be purchased after all other aspects of the IPE necessary to achieve the employment goal have been completed.

Vehicle purchases require approval from the [Regional Manager RM](#) and Chief of Field Services prior to agreeing to the purchase for the customer. The ~~VR counselor~~ [VRC](#) will be required to document responses to the following:

- How the purchase is essential to the achievement of a successful employment outcome.
- Whether the vehicle is required as a condition for employment or why it is needed to achieve an employment outcome.
- An explanation of the transportation alternatives explored and the reason(s) these options will not meet the customer's needs.
- A summary of other resources explored, such as insurance, a PASS Plan for customer receiving SSI/SSDI, or other sources, and how these resources will be utilized.
- The customer's disability is stable or slowly progressive and is not likely to impair his or her ability to drive in the foreseeable future.
- If the customer has a known pattern of alcohol or drug abuse within the past 5 years, whether in remission or not, a complete and current drug/alcohol evaluation included.
- An abstract of the driver's complete driving record obtained from the Department of Motor Vehicles. Citations other than parking tickets and minor traffic offenses may impact approval.
- Current Idaho driver's license of the person who will be driving the vehicle.
- Verification of customer's driving capacity as demonstrated through modified driving assessment or significant demonstrated safe driving history under current functional capacities.
- Verification of the customer's financial ability to pay for the fuel, license and registration, insurance, and vehicle maintenance. This will require an insurance quote appropriately reflecting vehicle usage. Additionally, the customer will have to develop a

plan for how they will replace the vehicle in the future as part of the feasibility review. If the customer does not have a method to replace and/or repair the vehicle if an accident occurs, the customer will show the ability to provide comprehensive insurance.

- The type of vehicle being considered (estimated price range and any special considerations). IDVR does not purchase new vehicles or vehicles that require above an Idaho Class D operator's license.

Note: IDVR does not purchase vehicles to address geographical or other barriers that are not disability related.

Following the decision to purchase the vehicle:

- Must follow all state and IDVR purchasing guidelines.
- IDVR will only authorize purchase vehicles from licensed dealerships.
- An inspection of the vehicle prior to purchase from a qualified mechanic is required. Also, obtaining a Car Fax is required.
- The vehicle title will be granted to the customer upon proof of insurance and all appropriate licensing (a tool agreement is not required).
- Every six (6) months the customer must show proof of insurance and maintenance until case closure.

IDVR has no further obligation to purchase any future vehicles due to customer negligence.

12.10 Self-Employment Policy

Introduction

The primary goal of the ~~Idaho Division of Vocational Rehabilitation~~ (IDVR) is to assist the customer in attaining a suitable competitive employment outcome that results in financial self-sufficiency. Self-Employment is one option that may be considered to assist the customer in selecting a vocational goal.

The impediment created by the customer's disability must be addressed in the overall comprehensive assessment leading up to Individualized Plan of Employment (IPE).

The successful self-employment enterprise is operated by a participant who can demonstrate an array of skills and abilities, including; organization, business and financial management, marketing and other talents, as well as, knowledge and expertise in the goods or services being produced. These may be accomplished through natural supports or other resources and would need to be included in the self-employment plan. It is essential that the participant is well informed of potential risks and that efforts are made to minimize those risks.

A vocational evaluation/career exploration may be used as a method of assisting the customer and ~~VR counselor~~ VRC in deciding if self-employment is a possible viable option. Vocational evaluators have a variety of instruments, work samples, inventories and other strategies to use in providing feedback and information related to self-employment.

There may be a need for VR services prior to a commitment from IDVR on a self-employment plan. It could be appropriate for IDVR to assist a customer in services, such as training needed for certain skills or business knowledge before the decision is made by the customer and ~~VR counselor~~[VRC](#) to pursue the development of a business plan.

IDVR values self-employment as a viable vocational outcome. Self-employment is presented by the ~~VR counselor~~[VRC](#) within the repertoire of vocational options and may be considered by customers and ~~VR counselor~~[VRC](#)s as they work toward the development of an appropriate vocational goal.

IDVR supports active, not passive or speculative, self-employment goals.

General Self-Employment Process and Flow Chart

The following steps will be required for all self-employment. The nature and extent of activities within each step will vary by the type and complexity of the self-employment business goal.

- 1. Assessment of Customer's Appropriateness for Self-Employment**
- 2. Writing an IPE – Developing a Business Plan**
- 3. Amending IPE - Implementing the Business Plan**
- 4. Closure of Self-Employment Case**

Definitions

- a. Business Plan** – A detailed outline of the business description, objectives, organization, product or service description, summary of Customer qualifications, analysis of the potential business environment and market, management and organizational structure, and financial plan.

The level of detail required for the various components of the business plan will vary depending upon the type of self-employment being pursued.

- b. Contracting and Sub-Contracting** – When the VR customer works with a company under a limited or contract basis for either short or long term employment, but is not a company employee. There are some types of employment goals that could be ~~sub contractors~~[sub-contractors](#) or a standalone business. Examples of likely contracting and sub-contractors opportunities include but are not limited to:

- Realtor
- Construction trades
- Cosmetology, nail tech, and hair stylist
- Paper delivery
- Tattoo artist

This is a type of start-up self-employment that will often be processed as a low cost, low risk, low complexity self-employment plan.

- c. Continued Self-Employment** – Employment where the VR customer is presently or recently (within the last year) engaged in a *successful* self-employed business as identified by the customer and feasibility of the business is recognized by IDVR. In this

scenario, the IPE services will address *disability related barriers* to employment. IPE will be written as maintaining employment.

Any capitalization of the business will require the use of low cost/low risk/low complexity, complex, or supported self-employment strategy.

d. Feasibility Analysis – Provides an in-depth analysis of the business concept, the market, the financial investment and income potential. In addition, the feasibility analysis considers:

- Financial resources, skills and history of the customer as it relates to successfully operating a small business
- The need for customer training
- The availability of strong support network for long-term business success
- The need for a comprehensive business plan
- The likelihood of sustainability in a reasonable amount of time (what is a reasonable amount of time will likely vary by the type of self-employment)

The feasibility analysis offers the ~~VR Counselor~~ [VRC](#) and customer a comprehensive, objective evaluation of the strength of the proposed self-employment venture.

e. Forms of Organization - refers to the way the individual legally organizes the business

i. *Sole Proprietorship* - one person who owns the business alone, but may have employees. She/he will have unlimited liability for all debts of the business, and the income or loss from the business will be reported on his or her personal income tax return along with all other income and expense she/he normally reports (although it will be on a separate schedule).

ii. *Corporation* – requires a legal filing with the Internal Revenue Service for corporate status. Corporate organization provides limited liability for the investors. Shareholders in a corporation are obligated for the debts of the corporation; creditors can look only to the corporation's assets for payment. The corporation files its own tax return and pays taxes on its income.

- VR customers who legally organize their businesses as a corporation, and are employed by their corporation may be eligible while in the [start-up](#) phase of operations.

iii. *General and Limited Partnerships* – two or more individuals, one of which is a customer of IDVR with the controlling share (see Eligibility Requirements for Self Employment).

iv. *Limited Liability Company* - limited liability for all of its members (business partners), with the IDVR customer as the controlling member.

f. Hobby - customers identifying business-related goals that indicate a business activity that is:

- Operated for recreation and/or pleasure.
 - Not projected to be profitable.
 - Not seeking profitability.
 - Neither operating nor carrying on activity in a business-like manner.
 - Not depending on activity for livelihood.
- g. Low Cost / Low Risk / Low Complexity Self-Employment** – A comprehensive business plan is not required if a feasibility analysis report indicates the business concepts represents a (1) low cost (under \$5,000) total cost of anticipated self-employment start-up, (2) low risk (strong likelihood of success) and (3) low complexity (few and clearly identifiable barriers to self-employment). Examples of self-employment ventures that may not require a comprehensive business plan include:
- A VR customer is already self-employed and has demonstrated skills and abilities to successfully manage the business, and VR services are needed to retain employment due to a disability-related condition.
 - The VR customer has previous experience being self-employed in the same or similar field and start-up needs are minimal.
 - The VR customer has skills and experience in a trade and needs minimal training and services for startup, such as, lawn care, pressure washing, window washing, and bookkeeping.
 - A VR customer has experience or training in a trade and will lease space or sub-contract with an existing business and pay their own taxes, i.e., massage therapist, manicurist, cosmetologist, real estate agent.
- h. Complex Self Employment** – All self-employment plans that do not meet the criteria for low cost/low risk/low complexity, continued self-employment or supported self-employment fall under this category.
- i. ~~Multi Level~~Multi-Level Marketing** – As a marketing strategy, in which a person is compensated not only for sales they personally generate, but also for the sales of others they recruit into a business venture, creating a “down line” of distributors and a hierarchy of multiple levels of compensation.
- j. Natural Supports** – Long term supports provided by individuals naturally invested in the success of the VR customer (family and friends).
- k. Startup Self-Employment** - refers to an employment outcome in which a customer works in a business that she/he starts, owns, operates, and manages with the intention of being profitable.
- l. Supported Self-Employment** – refers to an employment outcome in which a customer works in a business that she/he owns, operates, and manages with natural or long term supports, with the intention of being profitable.

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Eligibility Requirements

Participation in self-employment or supported self-employment as a vocational goal requires that:

1. The business venture is, at a minimum, 51% owned, controlled and managed by the IDVR customer. For those in supported self-employment, some IDVR customers may require the assistance of a guardian or conservator in controlling or managing a business.
2. Businesses must be organized as Sole Proprietorships, Corporations, General and Limited Partnerships, and Limited Liability Companies, as noted in Definitions-Forms of Organization.
3. The business venture is considered legal in all jurisdictions in which it operates (Federal, Tribal, State and local Governments). This includes business and other necessary licenses.
4. The business venture is accurately reporting to appropriate government agencies, including the Internal Revenue Service and State taxing agency or other applicable
5. State or local authorities.
6. The business venture is organized as a for-profit entity.

Financial Participation Requirements

Social Security beneficiaries are not required to financially participate towards the cost of their self-employment plan.

IDVR customers have a variety of sources to obtain their portion of the business costs. Some of these include:

- Investment of funds from microloans;
- Commercial and consumer loans;
- Loans from family;
- Forgivable loans;
- Equity grants;
- Equipment critical to the business operation;
- Inventory;
- Supplies;
- Facility (including fair value of existing facility in which the business will be operated)

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- a. In consideration of the business start-up capitalization noted in the Business Plan, financial participation by IDVR and VR customer for the entirety of the self-employment plan, per case is as follows:

<u>Business Capitalization</u>	<u>Maximum IDVR Financial Assistance</u>	<u>Minimum Customer Participation</u>
Under \$2,500	100%	0%
\$2,501 to \$5,000	80% of startup capital	20%
\$5,001 to \$7,500	70% of startup capital	30%
\$7,501 to \$10,000	60% of startup capital	40%
\$10,001 and up	50% of startup capital	50%

If IDVR's portion for business start-up and capitalization is more than \$10,000, the Chief of Field Services must provide approval.

- b. Financial participation will not be required for IDVR investment in:
- Training and technical assistance.
 - Accommodations necessitated by the customer's disability in order to participate in training, technical assistance or in consideration of financial assistance.

Limitations and Restrictions

Financial assistance for business start-up capitalization does not include:

1. Funding for speculative real estate development.
2. Deposits that are refundable to the customer or business.
3. Cash.
4. Salary or benefits for the customer, partners in ownership, or any employees of the business.
5. Purchase of real estate.
6. Erection of buildings.
7. Inventory or business supplies that include tobacco, firearms or alcoholic beverages.

8. Refinancing of existing debt – business or personal.
9. Business continuation expenses subsequent to the initial start-up costs.
10. IDVR does not support a customer hobby as a self-employment goal.

Self-employment involving payment for registration, legal services, patents, trademarks, copyrights, or franchise fees require an exception to policy approved by the Chief of Field Services.

Multi-Level Marketing plans are often similar to illegal pyramid schemes; therefore, [VR counselor VRCs](#) are cautioned about supporting self-employment businesses with a multi-level marketing structure. Support for multi-level marketing businesses may be appropriate when the emphasis is on sales by the VR customer versus recruitment of down line distributors.

Types of Self-Employment

A. Start-up Business

a. Low Cost / Low Risk / Low Complexity Business Plan

I. Role of IDVR

When working with customers expressing an interest in self-employment the primary role of IDVR is to:

- Provide relevant information regarding the availability of self-employment services supported by the agency.
- Assist the customer in information gathering and assessment in deciding whether self-employment is an appropriate option to achieve their employment goal.
- Assess the customer's disability as it relates to the self-employment goal.
- Reduce or eliminate barriers to self-employment created by the disability.
- May authorize for the provision of external technical assistance including, but not limited to, business feasibility, training, business planning, and post start-up monitoring.
- Participate with the customer and external technical assistance to evaluate the feasibility of the business.
- Coordinate training and technical assistance services.
- Provide technical assistance as deemed appropriate at post start-up of the business.
- Monitor business development at post start-up.

II. Role of the IDVR Customer

Customer responsibilities, as part of the informed choice process relating to self-employment, include but are not limited to:

- Determining the concept of the business.
- Participating in the assessment process.
- Exploring the feasibility of the business venture. This may include gathering information, market feasibility, and likelihood of financial sustainability. This may include; collaboration with technical assistance.
- Writing the business plan with or without technical assistance and approval by the ~~VR counselor~~ [VRC](#).
- Contributing, as appropriate, financially to the capitalization of the business venture by utilizing all available financial resources.
- Assisting in the identification of existing and potential barriers including those created by the disability, as well as identifying possible solutions.
- Developing skills and abilities necessary to operate and sustain the business venture.
- Business implementation and management.
- Providing regular financial or other relevant documentation or information requested by the agency for post star-up monitoring.
- Fulfilling participation in the business start-up as noted in the Individualized Plan of Employment (IPE).

III. Assessment of IDVR Customer's Appropriateness for Self Employment

- Evaluation of the customer's interests, skills, aptitudes, and personality traits as they relate to self-employment. This may include; a) use of data gathering instruments, and b) formal vocational assessment to the degree necessary to ensure the customer has the basic skills necessary to operate and manage a small business.
- Ensure the viability of self-employment as it relates to the customer's ability to handle the physical, mental, emotional, and cognitive aspects of the business venture including their disability. This may require consultation with medical and/or psychological service providers that have been treating the customer. If clear information is not available additional assessments may be needed.

- Examination of the customer's financial goals related to self-employment should include consideration of issues such as impact on government benefits, supplementing family income versus primary source of support, and earning sufficient funds to maintain competitive employment standards. A referral for benefits planning may be appropriate.

IV. Writing an IPE – Developing a Business Plan

After a positive assessment of the feasibility of the business concept an initial IPE is written. Some of the key components of writing an IPE for business plan development include:

- IPE goal will be the anticipated vocational outcome that is the focus of the business plan.
- IPE must be identified as a self-employment IPE.
- Comprehensive assessment for this IPE is based on the appropriateness of self-employment as a strategy for the individual VR customer. It should be based on the feasibility analysis, the assessment of the customer's appropriateness for self-employment, and other information available.

Services provided as part of this IPE are intended to support the development, writing, and ultimate approval of the business plan. The following are key elements to the development of the business plan:

1. Customer Training and Technical Assistance:

- Customers may be expected to attend training and participate in technical assistance services related to self-employment. This could include options such as; training and technical assistance on subjects such as: exploring entrepreneurship, small business development, business plan development, small business management, accounting for business, and business financing.
- Customers may require business specific skill training to eliminate skill gaps or prepare for the operation of the business. This could include coursework such as accounting/bookkeeping, using computers in business, human resources in business, etc. Skill-building courses should be noted in the IPE as necessary.

2. Business Plan Development:

The Business Plan is viewed as an essential element in any business venture and will be the document used by IDVR to determine whether or not to participate in capitalizing the business venture.

- A basic Business Plan must be written and approved to the satisfaction for the ~~VR counselor~~VRC.
- The customer will prepare the Business Plan with or without external technical assistance from a service provider experienced in business plan development.
- Benefits counseling may be provided with a focus on the projected impact of revenues and expenses as noted in the Business Plan.

3. Process for Business Plan Review:

The customer's goal toward self-sufficiency and the level of the Agency's financial participation in the start-up capitalization of the business will determine the level of review and approval required.

- The counselor will review the plan for completeness according to the components listed in the definition of a Business Plan.
- All low cost/low risk/low complexity self-employment plans will be reviewed by the customer and the ~~VR counselor~~VRC.
 - a. If the customer and IDVR agree, then the ~~VR counselor~~VRC and customer proceed to amend the IPE to initiate the self-employment plan.
 - b. If the customer and IDVR agree, that revisions are needed the customer proceeds to revise the plan with or without technical assistance.
 - c. The customer may decide not to proceed with the identified business goal. If so, the customer and the ~~VR counselor~~VRC proceed with developing a new IPE goal (this may or may not be a different self-employment option).

V. Amending IPE - Implementing the Business Plan

Once the business plan has been approved by the customer and the ~~VR counselor~~VRC an IPE amendment will be developed that identifies necessary services and activities to implement the business plan.

1. Update comprehensive assessment based upon the additional information acquired through the business plan development process.
2. Identifying specific VR services, cost, and vendors need to implement the self-employment plan. It is important that the financial responsibility for each party is identified on the IPE.

3. Identifying necessary training and technical assistance needed to implement the plan.
4. Identifying post start-up support services that may be needed.
5. Identifying the benchmarks for successful closure. At minimum, one benchmark must identify acceptable wage level for the customer (not less than Federal minimum wage standards). Additional benchmarks should be identified that are critical to the success of self-employment and how to proceed if the benchmarks are not met. It is important that these benchmarks be clearly written, and the consequences for not meeting the benchmarks are clearly explained to the customer and stated on the IPE. Examples of consequences for not meeting the benchmark on the IPE:
 - Evaluating the appropriateness of the benchmarks and possibly modification of the benchmarks (this would require an amendment to the IPE).
 - Withdrawal of IDVR support of the business and reassess other VR options.
 - Proceeding with case closure.

VI. Closure of Self-Employment Case

1. Successful Closure

Successful closure can be completed when the following has been established:

- Identified benchmarks have been achieved.
- At least 90 days of stable employment and at least six (6) months of business operation.

Equipment provided for the self-employment plan may be released or returned, consistent with Section 13 of the policy.

2. Unsuccessful Closure

If adequate progress towards meeting the identified benchmarks is not made, the ~~VR counselor~~[VRC](#) proceeds with case closure unless the customer expresses interest in developing a new IPE goal. “All Other Reasons” would be the reason selected for case closure.

The customer is expected to return equipment provided for the self-employment plan, consistent with Section 13 of the policy.

b. Complex Business Plan

I. Role of IDVR

When working with customers expressing an interest in self-employment the primary role of IDVR is to:

- Provide relevant information regarding the availability of self-employment services supported by the Agency.
- Assist the customer in information gathering and assessment in deciding whether self-employment is an appropriate option to achieve their employment goal.
- Assess the customer's disability as it relates to the self-employment goal.
- Reduce or eliminate barriers to self-employment created by the disability.
- Authorize for the provision of external technical assistance including, but not limited to, business feasibility, training, business planning, and post start-up monitoring.
- Participate with the customer and external technical assistance to evaluate the feasibility of the business.
- Assist in identifying resources for the capitalization of the business plan.
- Coordinate training and technical assistance services.
- Provide technical assistance as deemed appropriate at post start-up of the business.
- Monitor business development at post start-up.

II. Role of the IDVR Customer

Customer responsibilities, as part of the informed choice process relating to self-employment, include but are not limited to:

- Determining the concept of the business.
- Participating in the assessment process.
- Exploring the feasibility of the business venture. This includes conducting research, gathering information, market feasibility, and likelihood of financial sustainability. This may include collaboration with technical assistance.
- Writing the business plan with or without technical assistance.
- Researching the availability of financial resources.
- Contributing, as appropriate, financially to the capitalization of the business venture by utilizing all available financial resources.
- Assisting in the identification of existing and potential barriers including those created by the disability, as well as identifying possible solutions.

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- Developing skills and abilities necessary to operate and sustain the business venture.
- Business implementation and management.
- Providing regular financial or other relevant documentation or information requested by the Agency for post start-up monitoring.
- Fulfilling participation in the business start-up as noted in the Individualized Plan of Employment (IPE).

III. Assessment of IDVR Customer's Appropriateness for Self Employment

- Evaluation of the customer's interests, skills, aptitudes, and personality traits as they relate to self-employment. This may include; a) use of data gathering instruments, and b) formal vocational assessment to the degree necessary to ensure the customer has the basic skills necessary to operate and manage a small business.
- Ensure the viability of self-employment as it relates to the customer's ability to handle the physical, mental, emotional, and cognitive aspects of the business venture including their disability. This may require consultation with medical and/or psychological service providers that have been treating the customer. If clear information is not available additional assessments may be needed.
- The customer has attended a training session, such as the Small Business Development Center's "Exploring Entrepreneurship" or another comparable program, to evaluate the advantages and disadvantages of business ownership and explore self-employment preparedness from a personal perspective.
- Examination of the customer's financial goals related to self-employment should include consideration of issues such as, impact on Government benefits, supplementing family income versus primary source of support, and earning sufficient funds to maintain competitive employment standards. A referral for benefits planning may be appropriate.
- Conduct a preliminary assessment of various funding sources for business capitalization. The customer's expectations relative to the financial support she/he anticipates/expects from IDVR should be discussed at the onset. It is important that the customer understands that *IDVR will not be the sole source of startup capitalization and that any funding allocated to the start-up of the business will be consistent with IDVR policy related to financial participation.*

IV. Assessment of the Feasibility of the Business Concept

Customers may be referred to outside resources for assistance in examining the concept, market and financial feasibility of the business. If the business idea is deemed feasible, the information developed at this stage will provide some of the basic data that will be used in completing the Business Plan to be written later.

Testing the feasibility of the business idea should be formalized through a written Feasibility Assessment documenting the following:

- **Concept Feasibility:** Clear description of the business idea; customer's background related to the business concept including education, training, direct experience and transferable skill sets; a summary statement identifying issues of concern regarding the feasibility of the concept; and a recommendation as to whether the business concept is feasible.
- **Market Feasibility:** Geographic description of market area; description of

competitors working in or marketing to potential customers in geographic area; definition of target markets including size and scope of each market; zoning issues/requirements for establishing a business at intended location.

- Financial Feasibility: Capitalization requirements (start-up funding not to exceed 6 months) consistent with the individual's business concept; identification of resources for start-up funding and ongoing capitalization. Twelve (12) months of projected sales/expenses may be included, when appropriate.

V. Writing an IPE – Developing a Business Plan

After a positive assessment of the feasibility of the business concept an initial IPE is written. Some of the key components of writing an IPE for business plan development include:

- IPE goal will be the anticipated vocational outcome that is the focus of the business plan.
- IPE must be identified as a self-employment IPE.
- Comprehensive assessment for this IPE is based on the appropriateness of self-employment as a strategy for the individual VR customer. It should be based on the feasibility analysis, the assessment of the customer's appropriateness for self-employment, and other information available.

Services provided as part of this IPE are intended to support the development, writing, and ultimate approval of the business plan. The following are key elements to the development of the business plan:

1. IDVR Customer Training and Technical Assistance:

- All customers will be expected to attend training, when available, and participate in technical assistance services related to self-employment. This could include options such as; training and technical assistance on subjects such as: exploring entrepreneurship, small business development, business plan development, small business management, accounting for business, and business financing. *Exceptions to the above requirement may be made with supervisory approval in limited circumstances.*
- Customers may require business specific skill training to eliminate skill gaps or prepare for the operation of the business. This could include coursework such as accounting/bookkeeping, using computers in business, human resources in business, etc. Skill-building courses should be noted in the IPE as necessary.

2. Business Plan Development:

The Business Plan is viewed as an essential element in any business venture and will be the document used by IDVR, banks, micro lenders, and other funding organizations to determine whether or not to participate in capitalizing the business venture.

- A comprehensive Business Plan will be required for all complex self-employment goals. The content for a comprehensive Business Plan is a thorough assessment of all the components listed in the Business Plan definition.
- The customer will prepare the Business Plan with or without external technical assistance from a service provider experienced in business plan development.
- Benefits counseling may be provided with a focus on the projected impact of revenues and expenses as noted in the Business Plan.

3. Explore and Apply for Resources Available From Other Sources:

IDVR customers pursuing self-employment are required to explore funding from sources other than IDVR. These may include microloans, commercial and consumer loans, loans from family, forgivable loans, equity grants, and work incentives for Social Security recipients including Plans to Achieve Self Support (PASS) and personal property (inventory and equipment) essential to the operation of the business. If the business plan is approved and the IPE is amended, the customer will apply for other resources necessary to implement the business plan.

4. Process for Business Plan Review:

The customer's goal toward self-sufficiency and the level of the agency's financial participation in the start-up capitalization of the business will determine the level of review and approval required.

- The counselor will review the plan for completeness according to the components listed in the definition of a Business Plan.
- The business plan is submitted for technical assistance and feasibility review by an outside consultant (approved by the ~~VR counselor~~VRC and customer) with experience in business development.
- All complex self-employment plans will be reviewed by a self-employment team. The self-employment team will include the customer, ~~VR counselor~~VRC, Regional Manager RM, at least one outside consultant, and other individuals as appropriate.
 - a. If the customer and IDVR agree, based on the feedback from the self-employment team, then the ~~VR counselor~~VRC and customer proceed to amend the IPE to initiate the self-employment plan.
 - b. If the customer and IDVR agree, based on the feedback from the self-employment team, that revisions are needed, the customer proceeds to revise the plan with or without technical assistance.

c. If the customer does not agree with the recommendations from the self-employment team the customer may choose to follow the appeal process.
(See Section 4.0)

d. The customer may decide not to proceed with the identified business goal.
If so, the customer and the ~~VR counselor~~ VRC proceed with developing a new IPE goal (this may or may not be a different self-employment option).

VI. Amending IPE - Implementing the Business Plan

Once the business plan has been approved by the customer and the ~~VR counselor~~ VRC an IPE amendment will be developed that identifies necessary services and activities to implement the business plan.

1. Update comprehensive assessment based upon the additional information acquired through the business plan development process.
2. Identifying specific VR services, resources, cost, and vendors need to implement the self-employment plan. It is important that the financial responsibility for each party is identified on the IPE.
3. Identifying necessary training and technical assistance needed to implement the plan.
4. Identifying post start-up support services that may be needed.
5. Identifying the benchmarks for successful closure. At minimum, one benchmark must identify acceptable wage level for the customer (not less than Federal minimum wage standards). Additional benchmarks should be identified that are critical to the success of self-employment and how to proceed if the benchmarks are not met. It is important that these benchmarks be clearly written, and the consequences for not meeting the benchmarks are clearly explained to the customer and stated on the IPE. Examples of consequences for not meeting the benchmark on the IPE:
 - Evaluating the appropriateness of the benchmarks and possibly modification of the benchmarks (this would require an amendment to the IPE).
 - Withdrawal of IDVR support of the business and reassess other VR options.
 - Proceeding with case closure.

VII. Closure of Self-Employment Case

1. Successful Closure

Successful closure can be completed when the following has been established:

- Identified benchmarks have been achieved.
- At least 90 days of stable employment and at least six (6) months of business operation.

Equipment provided for the self-employment plan may be released or returned, consistent with Section 13 of the policy.

2. Unsuccessful Closure

If adequate progress towards meeting the identified benchmarks is not made, the ~~VR counselor~~[VRC](#) proceeds with case closure unless the customer expresses interest in developing a new IPE goal. “All Other Reasons” would be the reason selected for case closure.

The customer is expected to return equipment provided for the self-employment plan, consistent with Section 13 of the policy.

B. Supported Self Employment

a. Role of IDVR

When working with customers expressing an interest in supported self-employment the primary role of IDVR is to:

- Provide relevant information regarding the availability of supported self-employment services supported by the agency.
- Assist the customer in information gathering and assessment in deciding whether supported self-employment is an appropriate option to achieve their employment goal.
- Assess the customer's disability as it relates to the self-employment goal and the nature and level of support required (Examples: guardians/family members, targeted service coordinator, psychosocial rehabilitation provider, Medicaid broker, SSA payee).
- Reduce or eliminate barriers to supported self-employment created by the disability.
- May authorize for the provision of external technical assistance including, but not limited to, business feasibility, training, business planning, and post start-up monitoring.
- Participate with the customer, support team, and external technical assistance to evaluate the feasibility of the business.
- Coordinate training and technical assistance services.
- Provide technical assistance as deemed appropriate at post start-up of the business.
- Monitor business development at post start-up.

b. Role of the IDVR Customer with their Support Team

Customer and support team's responsibilities, as part of the informed choice process relating to self-employment, include but are not limited to:

- Determining the concept of the business.
- Participating in the assessment process.
- Exploring the feasibility of the business venture. This may include gathering information, market feasibility, and likelihood of financial sustainability. This may include collaboration with technical assistance.

- Writing the business plan with or without technical assistance and approval by the ~~VR counselor~~ VRC.
- Contributing, as appropriate, financially to the capitalization of the business venture by utilizing all available financial resources.
- Assisting in the identification of existing and potential barriers including those created by the disability, as well as identifying possible solutions.
- Identifying the areas within self-employment that need ongoing support and identify the specific individuals or resources that will provide that support.
- Developing skills and abilities necessary to operate and sustain the business venture.
- Business implementation and management.
- Providing regular financial or other relevant documentation or information requested by the Agency for post start-up monitoring.
- Fulfilling participation in the business start-up as noted in the Individualized Plan of Employment (IPE).

c. Assessment of Customer's Appropriateness for Supported Self Employment

- A. Evaluation of the customer's interests, skills, aptitudes, and personality traits as they relate to supported self-employment. This may include; a) use of data gathering instruments, and b) formal vocational assessment to the degree necessary to ensure the customer has the basic skills necessary to operate and manage a small business with adequate support systems.
- B. Ensure the viability of supported self-employment as it relates to the customer's ability to handle the physical, mental, emotional, and cognitive aspects of the business venture including their disability. This may require consultation with medical and/or psychological service providers that have been treating the customer. If clear information is not available additional assessments may be needed.
- C. Examination of the customer's financial goals related to supported self-employment should include consideration of issues such as: impact on Government benefits, supplementing family income versus primary source of support, and earning sufficient funds to maintain competitive employment standards. A referral for benefits planning may be appropriate.

I. Writing an IPE – Developing a Business Plan

After a positive assessment of the feasibility of the business concept an initial IPE is written. Some of the key components of writing an IPE for business plan development include:

- IPE goal will be the anticipated vocational outcome that is the focus of the business plan.
- IPE must be identified as a supported self-employment IPE.
- Comprehensive assessment for this IPE is based on the appropriateness of supported self-employment as a strategy for the individual VR customer. It should be based on the feasibility analysis, the assessment of the customer's appropriateness for supported self-employment, and other information available.

Services provided as part of this IPE are intended to support the development, writing, and ultimate approval of the business plan. The following are key elements to the development of the business plan:

1. IDVR Customer Training and Technical Assistance:

- Customers may be expected to attend training and participate in technical assistance services related to supported self-employment. This could include options such as; training and technical assistance on subjects such as exploring entrepreneurship, small business development, business plan development, small business management, accounting for business, and business financing.
- Customers may require business specific skill training or support to eliminate gaps for the operation of the business.

2. Business Plan Development:

The Business Plan is viewed as an essential element in any business venture and will be the document used by IDVR to determine whether or not to participate in capitalizing the business venture. If the supported self-employment plan meets the criteria for a complex self-employment plan refer to the business plan development for complex self-employment plan. If the supported self-employment plan meets the criteria for low cost/low risk/low complexity plan refer to the business plan development for low cost/low risk/low complexity plan.

3. Process for Business Plan Review:

The customer's goal toward self-sufficiency and the level of the Agency's financial participation in the start-up capitalization of the business will determine the level of review and approval required.

If the supported self-employment plan meets the criteria for a complex self-employment plan refer to the business plan review for complex self-employment plan. If the supported self-employment plan meets the criteria for low cost/low risk/low complexity plan refer to the business plan review for low cost/low risk/low complexity plan.

II. Amending IPE - Implementing the Business Plan

Once the business plan has been approved by the customer, support team, and the ~~VR counselor~~ VR an IPE amendment will be developed that identifies necessary services and activities to implement the business plan.

1. Update comprehensive assessment based upon the additional information acquired through the business plan development process.
2. Identifying specific VR services, cost, and vendors need to implement the supported self-employment plan. It is important that the financial responsibility for each party is identified on the IPE.
3. Resources to provide long term support (Extended Employment Services, Medicaid waiver, private pay, or natural supports) are identified and secured.
4. Identifying necessary training and technical assistance needed to implement the plan.
5. Identifying post start-up support services that may be needed.
6. Identifying the benchmarks for successful closure. At minimum, one benchmark must identify acceptable wage level for the customer (not less than Federal minimum wage standards). Additional benchmarks should be identified that are critical to the success of supported self-employment and how to proceed if the benchmarks are not met. It is important that these benchmarks be clearly written, and the consequences for not meeting the benchmarks are clearly explained to the customer and stated on the IPE. Examples of consequences for not meeting the benchmark on the IPE:
 - Evaluating the appropriateness of the benchmarks and possibly modification of the benchmarks (this would require an amendment to the IPE).
 - Withdrawal of IDVR support of the business and assess other VR options.
 - Proceeding with case closure.

III. Closure of Supported Self-Employment Case

1. Successful Closure

Successful closure can be completed when the following has been established:

- Identified benchmarks have been achieved.
- At least 90 days of stable employment and at least six (6) months of business operation.
- Verification of necessary long term supports.

Equipment provided for the supported self-employment plan may be released or returned, consistent with Section 13 of the policy.

2. Unsuccessful Closure

If adequate progress towards meeting the identified benchmarks is not made, the ~~VR counselor~~[VRC](#) proceeds with case closure unless the customer expresses interest in developing a new IPE goal. “All Other Reasons” would be the reason selected for case closure.

The customer is expected to return equipment provided for the self-employment plan, consistent with Section 13 of the policy.

C. Continued Self-Employment:

I. Writing IPE

1. Prior to completing the IPE, a comprehensive assessment must be completed.
2. Identify specific VR services, cost, and vendors need to implement the self-employment plan. It is important that the financial responsibility for each party is identified on the IPE.
3. Identify necessary training and technical assistance needed to implement the plan.
4. Identify post start-up support services that may be needed.
5. Identify the benchmarks for successful closure. At minimum, one benchmark must identify acceptable wage level for the customer (not less than Federal minimum wage standards). Additional benchmarks should be identified that are critical to the success of self-employment and how to proceed if the benchmarks are not met. It is important that these benchmarks be clearly written, and the consequences for not meeting the benchmarks are clearly explained to the customer and stated on the IPE. Examples of consequences for not meeting the benchmark on the IPE:
 - Evaluating the appropriateness of the benchmarks and possibly modification of the benchmarks (this would require an amendment to the IPE).

- Withdrawal of IDVR support of the business and assess other VR options.
- Proceeding with case closure.

II. Closure of Continued Self-Employment Case

1. Successful Closure

Successful closure can be completed when the following has been established:

- Identified benchmarks have been achieved.
- At least 90 days of stable employment.

Equipment provided for the continued self-employment plan may be released or returned, consistent with Section 13 of the policy.

2. Unsuccessful Closure

If adequate progress towards meeting the identified benchmarks is not made, the ~~VR counselor~~[VRC](#) proceeds with case closure unless the customer expresses interest in developing a new IPE goal. “All Other Reasons” would be the reason selected for case closure.

The customer is expected to return equipment provided for the continued self-employment plan, consistent with Section 13 of the policy.

12.11 Effective Communication Services for Customers with Sensory Impairments

IDVR can provide interpreter services and note taking services for customers who are deaf, including tactile interpreting for customers who are deaf-blind; reader services, rehabilitation teaching services, note-taking services and orientation and mobility services for customers who are blind; telecommunications, sensory and other technological aids and devices.

Note: *If the customer is enrolled in an academic/technical training program at an institution that receives Federal financial support, the institution will be responsible for the provision of interpreter services within the classroom or formal training environment i.e., outside the classroom, but mandated or supported by the class curriculum. (A regional exception has been made at the Eastern Idaho Technical College – EITC as per the agreement between IDVR and EITC).*

12.12 Occupational Licenses, Tools, Equipment Initial Stocks and Supplies necessary in order to enter an Occupation

Occupational licenses, tools, equipment, initial stocks, and supplies may be purchased in order to adequately prepare the customer for a vocational outcome. *Private pilot's license will not be secured through the financial support of IDVR.*

IDVR will not purchase land or buildings for customers with disabilities. IDVR retains the right to reclaim occupational tools and equipment purchased by IDVR when:

- Customer's IPE is not completed.
- The tools and equipment are no longer necessary or appropriate for the existing or new employment goal.
- Case is closed other than rehabilitated.

12.13 Supported Employment Services

Supported employment services may be provided to customers with the most severe disabilities who require ongoing training on-the-job and support services.

12.13.1 Supported employment is defined as follows:

- A. Competitive work (defined as payment of an hourly rate not less than minimum wage or less than the employer usually pays individuals who are not disabled) in an integrated work setting (defined as an environment in which the customer engages in as much contact with co-workers or the non-disabled general public as any other non-disabled person working in that job would experience) with ongoing support services for customers with the most severe disabilities for whom competitive employment:
 1. Has not traditionally occurred: or
 2. Has been interrupted or intermittent as a result of severe disability; and

3. Who, because of the nature and severity of their disability(ies), need intensive supported employment services or extended services in order to be gainfully employed; or

B. Transitional employment for customers with chronic mental illness.

Note: Non-competitive, non-integrated employment (sometimes referred to as Sheltered Work, Facility Based Work, Work Services, or Workshop Services) is not part of VR services. If a customer requests these services, IDVR will provide information about competitive, integrated employment to assist in informed choice. If the customer still request non-competitive, non-integrated employment they will be referred to the Extended Employment Services Program through the Extended Employment Services Referral Form.

12.13.2 Supported ~~e~~Employment Process:

- A. Through an assessment (internally provided or through a review of external documentation) or through the provision of VR services, supported employment is identified as a necessary strategy for successful employment.
- B. The ~~VR counselor~~ VRC and customer will identify the level of ongoing job support necessary to maintain successful employment.
- C. The ~~VR counselor~~ VRC and customer will identify the availability of long term support strategies for the level of supported employment services identified.
- D. If long term support strategies are available then an IPE may be written.
- E. If long term support strategies are not available the case will be closed “~~Unable~~^[TP10] to ~~Benefit from Services~~ Extended services not available.”

12.13.3 Supported Employment Strategies

Natural Supports: Support from supervisors and co-workers occurring in the workplace to assist employees with disabilities to perform their jobs, including supports already provided by an employer for all employees. These natural supports may be both formal and/or informal, and include mentoring, supervision (ongoing feedback on job performance), training (learning a new job skill with a co-worker), and co-workers socializing with employees with disabilities at breaks or after work. Support provided by family, friends, or significant others are also included within this definition.

Extended Employment Services: (IDAPA 47.01.02) Funds Managed by IDVR/EES. There are four eligibility categories:

- A. Developmental Disabilities (as defined in section 66-402, Idaho Code).
- B. Mental Health: (Typically Schizophrenia, Major Mood Disorders, Borderline Personality Disorder, Delusional Disorder, Schizoaffective Disorder).

C. Specific Learning Disability.

D. Traumatic Brain Injury.

Medicaid Funded Employment Supports:

Developmental Disabilities – Adult DD Home and Community Based Services Medicaid Waiver (IDAPA 16.03.10.703.03). Eligibility for this waiver is determined by the Independent Assessment Providers (IAP) at the Idaho Center on Disability Evaluation. The Self-Directed option falls under this waiver.

Aged or Disabled Waiver – Supported Employment is a component included in this Home and Community Based Services Medicaid Waiver (IDAPA 16.03.10.326.17).

~~12.13.4 Steps to Securing Long Term Support for Medicaid or EES Services~~^{[TP11]:}

- ~~1. Contact the Regional Community Supported Employment (CSE) coordinator.~~
- ~~2. The Regional CSE coordinator will submit the Referral for Extended Employment Services to the EES program.~~
- ~~3. The Regional CSE coordinator and VR counselor will receive documentation regarding the availability within ten (10) business days.~~
 - ~~a. Funding for EES Available – The VR counselor proceeds with plan development.~~
 - ~~b. No EES Funding Available – Customer is placed on the EES waiting list by EES program.~~
 - ~~i. Waiver Eligible –~~
 - ~~• VR staff notifies in writing to EES program that employment services are approved from Medicaid. Customer is removed from the waiting list once employment waiver services are approved by Medicaid.~~
 - ~~• If employment services are not included on the customer's waiver plan, if EES funding is not secured within three (3) months then the case will be closed (EES case will remain open and the customer will remain on the waitlist).~~
 - ~~ii. Not Waiver Eligible – Customer remains on the EES waiting list~~
 - ~~• VR counselor does not proceed to plan development.~~
 - ~~• If funding is not secured within three (3) months then the case will be closed (EES case will remain open and the customer will remain on the waitlist).~~
 - ~~• Once EES funding becomes available EES program will notify CSE coordinator and VR counselor; customer will be removed~~

~~from the EES waiting list. IPE development may be initiated (VR case file may need to be reopened).~~

12.14 Post-Employment Services (PES)

A customer with a disability who had been previously rehabilitated may require additional services in order to maintain, advance in, or regain suitable employment. In order to qualify for this service strategy, the need must be based upon a disability previously documented in the eligibility determination section. Post-employment services require an amendment to the IPE. *In order to qualify for these services, the customer's vocational needs must be minor in scope (\$1,000 or less) and duration (6 months or less). This means the customer only needs relatively short-term services with minimal cost associated.* Customers requiring multiple services over an extended period of time and/or a comprehensive/complex rehabilitation plan should be encouraged to reapply for the full-spectrum of VR services since their needs exceed the intent of post-employment services. PES can be initiated within three (3) years of successful closure. Once the record is destroyed, a new case must be opened.

Note: The intent of PES is to ensure that the employment outcome remains consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.

12.15 Rehabilitation Technology

Rehabilitation technology services (rehabilitation engineering, assistive/adaptive technology devices and services) may be provided as compensatory strategies to increase, maintain, or improve functional capabilities of customers with disabilities. Rehabilitation technology services may be provided at any time in the rehabilitation process, including the assessment for determining eligibility and vocational rehabilitation needs, extended evaluation, services provided under an IPE, and post-employment services. Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices are exempt from a determination of the availability of comparable services or benefits exist under any other program. ~~and are available to the customer, IDVR may request, but may not require~~ the use of comparable services and benefits. Personally prescribed devices, such as eye glasses, hearing aids, or wheelchairs are the exception, they not exempt from the consideration of comparable benefits. (For further information, please review the series of comprehensive fact sheets provided by Idaho Assistive Technology Project located on the IDVR intranet web site. There are also direct links to the Idaho Assistive Technology Project web site at that location).

12.15.1 "Assistive technology service" means any service that directly assists a customer with a disability in the selection, acquisition, or use of an assistive technology device, including:

- A. The evaluation of the needs of a customer;
- B. Purchasing, leasing, or otherwise providing for the acquisition by a customer with a disability of an assistive technology device;
- C. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;

- D. Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- E. Training or technical assistance for a customer with a disability.

12.15.2 An assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off-the-shelf, modified, or customized that is used to increase, maintain, or improve the functional capabilities of a customer with a disability.

12.15.3 Vehicle modification~~s~~ may be provided as an assistive technology device only when the applicant/customer is otherwise precluded from achieving a vocational objective.

1. In the event that a vehicle requires modification. e.g., hand controls, lift installation, or structural revision, may be provided on vehicles with an expected life of five (5) years or longer after modification, as evaluated by a certified mechanic (paid for by IDVR). The customer must agree to maintain insurance on the vehicle for replacement costs of the modified equipment.
2. Any vehicle modification over \$3,000 must include a minimum of two bids from approved vendors.
3. Adaptive equipment items that are not documented as medically and/or vocationally necessary will be the responsibility of the customer.
4. When a customer purchases a new vehicle requiring modifications they should check with the dealership to see if the vehicle modification assistance is available. The ~~VR counselor~~VRC will check with the customer to see if the customer is willing to access and apply the rebate to the cost of vehicle modification.

12.15.4 Housing modifications may be provided as a supportive service so the customer can benefit from a core vocational rehabilitation service. Typically these services are provided under an IPE.

12.16 Supportive Services

- A. Maintenance is a funding provision designed to offset *identified additional costs incurred as a result of participating in a rehabilitation service* (expenses incurred by the customer while engaged in assessments required for determining eligibility or while receiving services under an IPE).

NOTE: Maintenance means monetary support provided to a customer for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the customer and that are necessitated by the customer's participation in an assessment for determining eligibility and vocational rehabilitation needs or the customer's receipt of vocational rehabilitation services under an individualized plan for employment. (Ref: 34 CFR, Part 361.5 (35)).

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Counselors cannot pay maintenance for those existing living costs that a customer would normally incur regardless of the customer's participation in a plan of vocational rehabilitation services.

Maintenance intended to cover shelter related expenses will not exceed four (4) months per case without the Chief of Field Service's approval.

Maintenance intended to cover food expenses will not exceed four (4) weeks per case without the Chief of Field Service's approval.

Maximum per diem food rates for the state of Idaho can be found at:

<http://www.sco.idaho.gov/web/sbe/sbweb.nst/pages/trvlpolicy.htm#Appendix%20%22B%22>.

Maximum per diem food rates for out of state can be found at: www.gsa.gov.

~~VR counselor~~ VRCs should be aware and make their customers aware, that any maintenance payments for food, shelter, or clothing may impact SSI benefits.

- B. Transportation is a service for identified travel and related expenses for customers to participate in a vocational rehabilitation services or assessment.
1. Actual costs may be paid for taxi, buses, airplanes, etc.
 2. When using a privately owned vehicle, fuel assistance will be negotiated. This depends upon actual transportation expenses for participation in rehabilitation services. Routine vehicle maintenance is not covered by IDVR.
 3. The ~~VR counselor~~ VRC must take into account the following issues when confronted with a request from a customer to repair a privately owned vehicle:
 - a. The overall condition and value of vehicle.
 - b. The extent of the repairs.
 - c. The availability of other appropriate transportation.
 - d. The necessity that the vehicle be used for ~~VR~~ IDVR participation or work.

12.17 School Transition

~~The Idaho Division of Vocational Rehabilitation (IDVR)~~ participates in student transition planning as outlined at 34 CFR 361.22 of the Rehabilitation Act Regulation. The Regulations require plans, policies, and procedures that provide for the development and approval on an individualized plan for employment as early as possible during the transition planning process but, at the latest, by the time each student who is determined to be eligible for vocational rehabilitation services leaves the school setting. The Act also provides for:

1. Consultation and technical assistance to educational agencies in planning for transition of students with disabilities from school to post-school activities, including vocational rehabilitation;
 2. Transition planning by personnel of IDVR and the educational agency for students with disabilities that facilitates the development and completion of their Individualized Education Programs (IPE's) under section 614 (d) of the Individuals with Disabilities Education Act (IDEA);
 3. The roles and responsibilities including financial responsibilities, of each agency; and
 4. Procedures for outreach to and identification of students with disabilities who are in need of transition services. Outreach to these students should occur as early as possible during the transition planning process and must include, at a minimum, a description of the purpose of the vocational rehabilitation programs, eligibility requirements; application procedures, and scope of services that may be provided to eligible customers.
- Referrals should be made to the ~~VR counselor~~VRC as early as possible following the completion of the student's sophomore year. Earlier referrals can be made based on individual student need. All students with disabilities should be referred, not just those students in special education.
 - The ~~VR counselor~~VRC may participate and/or consult during the development of Individual Educational Plans (IEPs), Individual Transition Plans (ITPs) and Child Study Teams (CSTs) at the invitation of the school and agreement between the ~~VR Counselor~~VRC and CST members. VRC will determine the appropriate time to take an application when the focus is on the final vocational objective or formal planning for continued employment preparation after the student exits from high school.
 - The school district's responsibility is to provide a free and appropriate education to all students. This includes instructional aides, devices, and necessary services to achieve educational goals.
 - IDVR's responsibility is to facilitate the accomplishment of long-term vocational rehabilitation goals and intermediate rehabilitation objectives identified in the student's IPE. Only services that are required for achievement of the employment goal will be provided or coordinated.

12.18 Services to Family Members

The definition of “Family Member” is a relative or guardian of the customer or someone who lives in the same household as the customer and has a substantial interest in the well-being of the customer.

Conditions and Criteria:

- A. Service may be provided only to individuals that meet the definition of family member.
- B. The services to be provided are those which are deemed to be necessary to the successful completion of the customer’s rehabilitation plan (IPE, Extended Evaluation, or Trial Work Period). The customer and ~~VR counselor~~[VRC](#) will make the determination as to whether a service to a family member is necessary to the vocational rehabilitation of the individual customer.
- C. Comparable services and benefits are to be explored and if available, utilized prior to expenditure of agency funds.
- D. IDVR funds can only be utilized if economic need is established on Financial Participation Assessment (FPA).
- E. Family members may not have access to the customer’s record of service without a release of information. Family members may have access to information pertaining to the services they received.

Procedures:

- A. The category of Services to Family Members requires prior approval from the ~~Regional Manager~~[RM](#).
- B. The IPE must set forth the services to be provided to the family member.
- C. In developing the IPE the ~~VR counselor~~[VRC](#) must ensure that the customer and family member(s) understand the basis for the provision of services in order to avoid any misunderstanding as to the scope, nature, and duration of services.
- D. Services under this section must comply with all other portions of the manual relating to the provision of ~~VR~~[IDVR](#) services.
- E. Services to family members must be terminated whenever one of the following conditions prevails:
 - 1. When a service(s) is no longer necessary to the customer’s plan; or

2. When the customer's plan is terminated in accordance with case closure procedures; or
3. When Post-Employment Services are terminated.

F. When services are provided to family members, the record of service must include:

1. A rationale that services are required to support the customer's success in completing objectives of the IPE;
2. Data, including medical information, to support the decision to provide services (the least amount necessary to verify the need);
3. Identification of family member(s) receiving those services;
4. The cost of such services; and
5. Documentation of the time limited nature of these services.

12.19 Personal Care Assistant Services

A personal care assistant (PCA) assists a customer with a significant disability by performing personal activities of daily living requiring hands-on help, which cannot be performed by the customer because of the significance of the disability. PCA services including personal care related tasks such as:

1. Eating
2. Drinking
3. Toileting
4. Bathing
5. Transfers
6. Dressing
7. Grooming
8. Medications

PCA services do not include chore services, respite, cueing, or household tasks. In most cases, tasks performed by the PCA are customer directed. The PCA is not responsible for any tasks that the customer with a disability can perform independently.

PCA services have been developed to enhance the ability of a customer with a significant disability to live and work independently. The need for PCA services is normally identified through an independent living (IL) evaluation.

A PCA must have completed a State approved training program or have substantial knowledge and experience in providing PCA services.

It is the policy of the IDVR to provide PCA services to customers with significant disabilities, when PCA services over and above those required for normal daily living are required to assist

the customer to complete the ~~VR-IDVR~~ process. IDVR does not provide PCA services in lieu of existing PCA programs and providers. If the ~~VR-counselor~~VR-C determines that PCA services are necessary for the customer to complete the objectives of the IPE, the ~~VR-counselor~~VR-C will need to conduct or obtain a personal care assistant evaluation to determine the number of hours of PCA services that are required for participation in the IPE over and above the customer's normal daily living needs.

It is the responsibility of the customer and the ~~VR-counselor~~VR-C to identify, apply for and utilize any and all similar benefits for PCA services. PCA recruitment and management is the responsibility of the customer. Payment for PCA services is made through an authorization to the customer for PCA services. The customer then pays the chosen provider. IDVR will not exceed the current rate established by Medicaid. IDVR does not pay for standby time; only for direct service time related to the VR service that the PCA service is addressing. The customer is required to submit verification of services received from the provider to IDVR on a monthly basis to continue to receive PCA fundeds services.

IDVR PCA services are time limited in nature and are provided during the vocational rehabilitation process, if required, to assist in determining eligibility, for participation in vocational evaluation and assessment, and during implementation of an IPE with a goal leading to competitive employment. The provision of PCA services must be linked directly to the objective of the IPE. PCA services funded by IDVR must be for those tasks over and above PCA services normally requiredd for tasks of daily living. No more than 40 hours per week will be authorized for PCA services.

When the IPE objectives have been successfully completed and the goal of competitive employment has been achieved, provision of PCA services required to maintain employment becomes the responsibility of the customer.

12.20 Services to a Group of Individuals

The Rehabilitation Act of 1973 as amended authorizes the provision of rehabilitation services to groups of individuals.

Guidelines:

Services for a group of individuals with disabilities must be expected to substantially contribute to the vocational rehabilitation of a group of individuals, but does not relate directly to the individualized rehabilitation program of any one individual with disability. The decision to provide services to groups will be made based on the need for the services as well as the available resources of the agency.

Establishment

Under the authority of 34 CFR 361.49(a)(1), IDVR may pursue the establishment, development, or improvement of a public or non-profit community rehabilitation program that is used to provide vocational rehabilitation services that promote integration and competitive employment, including, under special circumstances, the construction of a facility for a public or non-profit community rehabilitation program. Examples of "special circumstances" include

the destruction or natural disaster of the only available center serving an area or a State determination that construction is necessary in a rural area because no other public agencies or private non-profit organizations are currently able to provide vocational rehabilitation services to individuals.

Any CRP establishment activities undertaken by IDVR will be supported by the pre-planning requirements under 34 CFR 361.49(b)(1) & (2) and 34 CFR 361.29.

In order for IDVR to engage in activities to establish, develop or improve a public or non-profit CRP, pursuant to 34 CFR 361.49(a)(1), and use of non-Federal expenditures incurred by those activities to satisfy match requirement under the VR Program, IDVR must first satisfy several pre-planning requirements:

1. IDVR must have written policies that set forth the nature and scope of services that will be provided to groups of customers with disabilities, and the criteria that will be used to determine the provision of those services (34 CFR 361.49(b)(1)); and
2. Establishment activities must have been identified as a need in IDVR's most recent statewide comprehensive needs assessment and IDVR must have included in its State plan a discussion of the strategies it would use to meet that need (34 CFR 361.29).

If IDVR has satisfied the above pre-planning requirements for activities related to establishing, developing, or improving a CRP, then the following requirements must be satisfied in order for IDVR to use non-Federal expenditures incurred for these activities towards its match requirements under the VR program pursuant to 34 CFR 361.60(b)(3)(i):

1. The activities proposed must fit within the definition of establishment, development, or improvement of a CRP at 34 CFR 361.5(b)(17);
2. The establishment, development, or improvement of a facility for a CRP at 34 CFR 361.5(b)(18), or
3. The construction of facility for a CRP at 34 CFR 361.5(b)(12); and
4. The activities must be designed to provide services to IDVR customers and applicants.

Based on 34 CFR 361.5(b)(17), IDVR may:

1. The establishment of a facility for a public or non-profit community rehabilitation program.
2. Staffing, if necessary to establish, develop, or improve a community rehabilitation program for the purpose of providing vocational rehabilitation services to applicants or eligible customers.
3. Other expenditures related to the establishment, development, or improvement of a community rehabilitation program that are necessary to make the program functional or

increase its effectiveness in providing vocational rehabilitation services to applicants or eligible customers, but are not ongoing operating expenditures of the program.

Employment Related Services to Customers with Disabilities

Under the authority of 34 CFR 361.49(a)(6), IDVR may pursue services that promise to contribute substantially to the rehabilitation of a group of customers but that are not related directly to the individualized plan for employment of any one customer.

The nature and scope of the services provided include:

1. Increase access to employment and educational opportunities for persons who are deaf or hard of hearing.
2. Increase awareness of the needs of persons who are deaf and hard of hearing through educational informational programs.
3. Encourage consultation and cooperation among departments, agencies, and institutions serving the deaf and hard of hearing.

SECTION 13.0 - CLOSURE

13.1 Closure During Application Status

A. No disabling condition

The ~~VR counselor~~VRC is unable to verify the existence of a disabling condition. The decision requires ~~VR-IDVR~~ staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of:
 - a. Ineligibility closure determination, explaining in clear and concise language the reason(s) for the ineligibility determination.
 - b. Appeal rights (Rights and Responsibilities)
 - c. Information regarding the Client Assistance Program (CAP)
3. Referral to other agency (ies), including Idaho Department of Labor.

B. No impediment to employment

The ~~VR counselor~~VRC cannot establish that there is a substantial barrier to employment based on disability. The decision requires ~~VR-IDVR~~ staff to:

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1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.

2. Provide written notification, or other appropriate mode of communication of:
 - a. Ineligibility closure determination, explaining in clear and concise language the reason(s) for the ineligibility determination.
 - b. Appeal rights (Rights and Responsibilities)
 - c. Information regarding the Client Assistance Program (CAP)
3. Referral to other agency (ies), including Idaho Department of Labor.

C. Does not require VR services to achieve an employment outcome

The ~~VR counselor~~VRC has been unable to identify substantial VR services necessary to secure, retain or regain employment. The decision requires ~~VR~~ IDVR staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of:
 - a. Ineligibility closure determination, explaining in clear and concise language the reason(s) for the ineligibility determination.
 - b. Appeal rights (Rights and Responsibilities).
 - c. Information regarding the Client Assistance Program (CAP).
3. Referral to other agency (ies), including Idaho Department of Labor.

D. Unable to benefit from VR services

The ~~VR counselor~~VRC, through trial work or extended evaluation has established that the applicant is unable to benefit in terms of an employment outcome. The decision requires ~~VR~~IDVR -staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of:
 - a. Ineligibility closure determination, explaining in clear and concise language the reason(s) for the ineligibility determination.
 - b. Appeal rights (Rights and Responsibilities).
 - c. Information regarding the Client Assistance Program (CAP).
3. Referral to other ~~agency (ies)~~agencies, ~~the Extended Employment Program and as appropriate, the Idaho Department of Labor.~~
4. Conduct a review of the ineligibility determination following the closure of the record within 12 months and annually thereafter, up to two (2) years, or longer if

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requested. The customer with a disability, or, if appropriate, the customer's representative, may have input into the review and re-evaluation. Signed documentation should be included of the review and re-evaluation if the review and re-evaluation is able to be completed.

E. Extended services unavailable

The ~~VR counselor~~VRC has determined that extended services are required and the ~~VR counselor~~VRC and customer have determined that the extended services are not available at this time. The decision requires ~~VR~~IDVR staff to:

1. Provide opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of:
 - a. ~~Ineligibility~~eClosure determination, explaining in clear and concise language the reason(s) for the ~~ineligibility~~ determination.
 - b. Appeal rights (Rights and Responsibilities).
 - c. Information regarding the Client Assistance Program (CAP).
3. Referral to other ~~agency (ies)~~agencies, the Extended Employment Program and as appropriate, ~~the Idaho Department of Labor~~.
4. ~~Conduct a review of the ineligibility determination following the closure of the record within 12 months and annually thereafter, up to two (2) years, or longer if requested. The customer with a disability, or, if appropriate, the customer's representative, may have input into the review and re-evaluation. Signed documentation should be included of the review and re-evaluation if the review and re-evaluation is able to be completed.~~

F. ~~Refused~~^[TP12] serviceNo longer interested in receiving services, moved~~unable to locate/contact or moved, failure to cooperate,~~death, institutionalized or incarcerated, transportation not feasible~~or available~~, transferred to another agency, and all other reasons.

These are closures without eligibility determination. The decision requires ~~VR~~IDVR staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of (when death is a reason for case closure do not send any written documentation):
 - a. Closure determination.
 - b. Appeal rights (Rights and Responsibilities).

c. Information regarding the Client Assistance Program (CAP).

13.2 Closure ~~D~~during Eligibility Status

A. Unable to benefit from VR services, disability too severe for services

The ~~VR counselor~~VRC, through clear and convincing evidence has established that the customer is unable to benefit in terms of an employment outcome. An ineligibility determination, based on inability to benefit from VR services or disability too severe for services, may be completed after an initial eligibility determination. The decision requires ~~VR~~IDVR staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of:
 - a. Ineligibility closure determination, explaining in clear and concise language the reason(s) for the ineligibility determination.
 - b. Appeal rights (Rights and Responsibilities).
 - c. Information regarding the Client Assistance Program (CAP).
3. Referral to other agency(ies), or the Extended Employment Program, ~~and~~ as appropriate, ~~the Idaho Department of Labor.~~
4. Conduct a review of the ineligibility determination following the closure of the record within 12 months and annually thereafter, up to two (2) years, or longer if requested. The customer with a disability, or, if appropriate, the customer's representative, may have input into the review and re-evaluation. Signed documentation should be included of the review and re-evaluation if the review and re-evaluation is able to be completed.

B. Extended services unavailable

The ~~VR counselor~~VRC has determined that extended services are required and the ~~VR counselor~~VRC and customer have determined that the extended services are not available at this time. The decision requires ~~VR~~IDVR staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of:
 - a. ~~Ineligibility~~eClosure determination, explaining in clear and concise language the reason(s) for the ~~ineligibility~~ determination.
 - b. Appeal rights (Rights and Responsibilities).
 - c. Information regarding the Client Assistance Program (CAP).

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3. Referral to other agency (ies), ~~the Extended Employment Program and,~~ as appropriate, ~~the Idaho Department of Labor.~~
- C. No longer interested in receiving ~~Refused~~ services, ~~moved~~ unable to locate/contact or moved, ~~failure to cooperate~~, death, institutionalized or incarcerated, transportation not feasible or available, transferred to another agency, and all other reasons.

The decision requires ~~VR~~IDVR -staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of (when death is a reason for case closure do not send any written documentation):
 - a. Closure determination.
 - b. Appeal rights (Rights and Responsibilities)
 - c. Information regarding the Client Assistance Program (CAP)

D. Closure from the Order of Selection Waitlist

When the ~~VR counselor~~VRC is unable to contact (the ~~VR counselor~~VRC uses the closure reason – unable to locate/contact/~~locate~~ or moved) or the customer has declined VR participation (the ~~VR counselor~~VRC uses the closure reason – ~~refused services~~No longer interested in receiving services).

The decision requires ~~VR~~IDVR -staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of (when death is a reason for case closure do not send any written documentation):
 - a. Closure determination.
 - b. Appeal rights (Rights and Responsibilities).
 - c. Information regarding the Client Assistance Program (CAP).

13.3 Unsuccessful Closure After Implementation of IPE

A. Unable to benefit from VR services, disability too severe for services

The ~~VR counselor~~VRC, through clear and convincing evidence has established that the customer is unable to benefit in terms of an employment outcome. An ~~ineligibility closure~~ determination, based on inability to benefit from VR services or disability too severe for services, may be completed after an initial eligibility determination. The decision requires ~~VR~~IDVR -staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.

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2. Provide written notification, or other appropriate mode of communication of:

- a. ~~Ineligibility e~~Closure determination, explaining in clear and concise language the reason(s) for the ~~ineligibility~~ determination.
- b. Appeal rights (Rights and Responsibilities).
- c. Information regarding the Client Assistance Program (CAP)

3. Referral to other ~~agency (ies)~~agencies, or the Extended Employment Program, and as appropriate, ~~the Idaho Department of Labor~~.

4. ~~Conduct~~^[TP13] a review of the ~~ineligibility determination following the closure of the record within 12 months and annually thereafter, up to two (2) years, or longer if requested. The customer with a disability, or, if appropriate, the customer's representative, may have input into the review and re-evaluation. Signed documentation should be included of the review and re-evaluation if the review and re-evaluation is able to be completed.~~

~~5.4.~~ Customer must return tools and equipment to the agency at the time of unsuccessful closure, in accordance to the tool agreement. Exceptions must be approved by the ~~Regional Manager~~RM.

B. Extended services unavailable

The ~~VR counselor~~VRC has determined that extended services are required and the ~~VR counselor~~VRC and customer have determined that the extended services are not available at this time. The decision requires IDVR staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification, or other appropriate mode of communication of:

- a. ~~Ineligibility e~~Closure determination, explaining in clear and concise language the reason(s) for the ~~ineligibility~~ determination.
- b. Appeal rights (Rights and Responsibilities)
- c. Information regarding the Client Assistance Program (CAP)

C. ~~Refused service, No longer interested in receiving services, moved, unable to locate/contact or moved, failure to cooperate, death, institutionalized or incarcerated, transportation not feasible or available, transferred to another agency, and all other reasons.~~

The decision requires ~~VR~~IDVR staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.

2. Provide written notification, or other appropriate mode of communication of (when death is a reason for case closure do not send any written documentation);
 - a. Closure determination.
 - b. Appeal rights (Rights and Responsibilities)
 - c. Information regarding the Client Assistance Program (CAP)

13.4 Successful Competitive Closure After Implementation of IPE

A. Rehabilitated with supports

Customers in supported employment are determined rehabilitated when the objectives of the IPE for supported employment training are achieved and a plan for extended support services is verified through the activation of services related to the long-term source of support.

In order to determine that a customer has achieved an employment outcome, the case record must document:

1. That services provided under the IPE contributed to the achievement of the employment outcome.
2. That the employment outcome is consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
3. That the employment is in the most integrated setting possible, consistent with the customer's informed choice, that the customer is compensated at or above the minimum wage and his/her wages and benefits are not less than that customarily paid by the employer for same or similar work performed by non-disabled individual.
4. That the employment outcome has been maintained for a minimum of 90 days.
5. The customer and the ~~VR counselor~~ VRC consider the employment outcome to be satisfactory and agree that the customer is performing well on the job. Whenever possible, confirm that the employer is satisfied with the work performance of the customer as well as IDVR services.
6. That an assessment occurred regarding whether a need exists for Post-Employment Sservices and that the customer was informed regarding the purpose and availability of post-employment services, should the need arise.

7. Ownership of tools and equipment may be transferred to the customer at the time of closure if the tools and equipment are necessary for on-going employment purposes.

Case closure requires IDVR staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification or other appropriate mode of communication.

B. Rehabilitated without supports

In order to determine that a customer has achieved an employment outcome, the case record must document:

1. That services provided under the IPE contributed to the achievement of the employment outcome.
2. That the employment outcome is consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
3. That the employment is in the most integrated setting possible, consistent with the customer's informed choice, that the customer is compensated at or above the minimum wage and his/her wages and benefits are not less than that customarily paid by the employer for same or similar work performed by non-disabled individual.
4. That the employment outcome has been maintained for a minimum of 90 days.
5. The customer and the ~~VR counselor~~VRC consider the employment outcome to be satisfactory and agree that the customer is performing well on the job. Whenever possible, confirm that the employer is satisfied with the work performance of the customer as well as IDVR services.
6. That an assessment occurred regarding whether a need exists for Post-Employment Services and that the customer was informed regarding the purpose and availability of post-employment services, should the need arise.
7. Ownership of tools and equipment may be transferred to the customer at the time of closure if the tools and equipment are necessary for on-going employment purposes.

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Case closure requires IDVR staff to:

1. Provide an opportunity for the customer or his/her representative to receive full consultation regarding the closure decision.
2. Provide written notification or other appropriate mode of communication.

13^[TP14]~~5~~ *Successful Non-Competitive Closure After Implementation of IPE*

In order to determine that a customer has achieved an employment outcome, the case record must document:

1. ~~That services provided under the IPE contributed to the achievement of the employment outcome.~~
2. ~~That the employment outcome is consistent with the customer's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.~~
3. ~~A. Homemaker—verify that the customer has increased their ability to provide services around the house that enable other family members to increase their financial contribution to the family.~~

~~B. Unpaid Family Worker—verify that the customer is working for the family farm or family business.~~
4. ~~That the employment outcome has been maintained for a minimum of 90 days.~~
5. ~~The customer and the VR counselor consider the employment outcome to be satisfactory and agree that the customer is performing well on the job. Whenever possible, confirm that the employer is satisfied with the work performance of the customer as well as IDVR services.~~
6. ~~That an assessment occurred regarding whether a need exists for Post-Employment Services and that the customer was informed regarding the purpose and availability of post-employment services, should the need arise.~~
7. ~~Ownership of tools and equipment may be transferred to the customer at the time of closure if the tools and equipment are necessary for on-going employment purposes.~~

13.56 *Closure After Post Employment Services (PES)*

A. Closed unemployed; opening a new VR case

The ~~VR counselor~~**VRC** has made a determination that the scope of services is inappropriate for PES and the customer has agreed to apply for a new VR case.

1. PES is closed.
2. Customer applies for services.

B. Employment maintained or regained

The customer and ~~VR counselor~~ [VRC](#) are in agreement the job is or has been maintained, regained or advanced in.

1. PES case is closed
2. Customer agreement with case closure is documented in the case record.

C. Lost job; no further services at this time

The customer's employment was not maintained, regained, or advanced in and no VR services are appropriate at this time.

1. PES case is closed
2. Customer has been informed of case closure is documented in the case record.

SECTION 14.0 ORDER OF SELECTION

14.1 Authority

Rehabilitation Act of 1973 as amended by the Rehabilitation Act of 1998, Sections 101 and 102.
34 CFR Part 361 §361.36, §361.3.

14.2 Policy

In the event that the projected fiscal and personnel resources of IDVR become inadequate to provide the full range of services, as appropriate, to all eligible customers, the Administrator will implement the Division's Order of Selection procedure. By law, this procedure must insure that customers with the most significant disabilities are served first. The criteria used for determining the Order of Selection for services is the category of significance of the disability as defined in Policy Section 6.2 and the application date for ~~VR~~[IDVR](#)-services.

Factors that will not be considered in determining an order of selection priority category include:

- A. Type of Disability
- B. Duration of residency, provided the customer is present in the state;
- C. Age, gender, race, color or national origin;
- D. Source of referral;
- E. Type of expected employment outcome;
- F. The need for specific services or anticipated cost of such services; or
- G. The income level of the customer or customer's family.

14.3 Administrative Requirements

IDVR must ensure that it is funding arrangements for providing services under the State Plan, including third-party arrangements and awards, such as cooperative funding agreements with school districts, other State agencies or contractual arrangements, are consistent with the Order

of Selection. If any funding arrangements are inconsistent, the Agency must renegotiate these funding arrangements so that they are consistent with the Order of Selection.

14.4 Procedures

Determination of Significant Disability

When a ~~VR counselor~~VRC determines a customer is eligible, the ~~VR counselor~~VRC also establishes the level of significance of disability based upon the criteria established in Section 6.0. The level of significance of the customer's disability is identified with one of the following three priority categories:

- A. Customers with disabilities
- B. Customers with significant disabilities
- C. Customers with the most significant disabilities

Statewide Order of Selection Waiting List

When a ~~VR counselor~~VRC completes the eligibility process and the determination of the significance of the disability determination, the customer is added to the statewide Order of Selection waiting list in the appropriate category by date of application. The date of application process is completed (see section 5.3). The case is transferred from the ~~VR counselor~~VRC caseload to the office Order of Selection waiting list.

Written notification will be provided to the customer informing them of:

- Their eligibility determination.
- Their placement on the waiting list.
- The priority categories of IDVR's Order of Selection.
- Their assignment to a particular category.
- Their right to appeal their category assignment.
- The availability of the Client Assistance Program (CAP).

When resources are available, the Chief of Field Services notifies the Regional ManagerRMs of the number of customers to take from the waiting list by priority category, application date(s) and office locations. Regional ManagerRMs ~~then~~ coordinate with the ~~VR counselor~~VRCs to transfer the corresponding cases from the Order of Selection waiting list in respective offices to ~~VR counselor~~VRC's caseloads.

A customer on the statewide Order of Selection waiting list may request that his/her case be transferred from one office to another by contacting the local VRIDVR -office – The request for transfer will be processed by the Regional ManagerRM where the case resides.

Transferring a New Case to the Order of Selection Waiting List

The [Regional ManagerRM](#) is responsible for ensuring appropriate priority categories are being served, for maintaining the office Order of Selection waiting list and for verifying Information and Referral (I&R) is occurring. Cases will be transferred from a ~~VR counselor~~[VRC](#)'s caseload to the office Order of Selection waiting list within ten (10) business days of the eligibility date.

The [Regional ManagerRM](#) will verify Information and Referral sources have been documented prior to transferring the case to the office Order of Selection waitlist.

Transferring a Case from the Order of Selection Waiting List to a ~~VR Counselor~~[VRC](#)

Upon notification to initiate services for case on the Order of Selection waiting list for the specified priority category and application dates, the [Regional ManagerRM](#) or designee must transfer cases from the Order of Selection office waiting list to a ~~VR counselor~~[VRC](#) within five (5) business days. The ~~VR counselor~~[VRC](#) is notified of the case transferred and is authorized to initiate services.

If a case is closed from the office Order of Selection waiting list, the case is automatically removed from the statewide Order of Selection list.

Initiating Services for Customers Referred from the Order of Selection Waiting List

IDVR will determine when it is appropriate to implement procedures to re-establish or maintain contact with customers while they are on the Order of Selection waiting list. Factors to consider are the length of time a customer has been on the list and the anticipated time before the customer's category will open.

Upon receipt of the case transferred from the Order of Selection waiting list, the ~~VR~~[IDVR](#) staff takes the following steps:

1. To contact the customer and schedule an appointment.
2. If telephone contacts are unsuccessful a letter will be sent to initiate contact.
3. Reasonable and timely efforts to find updated phone numbers and addresses for the customer.
4. If the customer has not responded within forty (40) days from the date the letter was sent, ~~VR~~[IDVR](#) -staff will proceed with case closure.

~~VR counselor~~[VRC](#)s need to consider the communication needs of the customer, including the need for information in alternate formats when initiating contact by telephone or letter.

Steps to contact each customer are documented in the case management system narrative and filed in the case service record.

Exceptions for Reopening Closed Cases

A ~~VR counselor~~VRC may request the Regional Manager~~RM~~ to ~~obtain~~get permission from the Chief of Field Services to reopen a case on an exception to policy basis if a customer contacts IDVR after his/her case is closed. If the customer's lack of response was a result of exceptional circumstances that prevented the customer from responding, the ~~VR counselor~~VRC should consult with his/her supervisor about an exception to policy to reopen the case.

Customers Not Ready to Proceed with IPE Development upon Referral from the Order of Selection Waiting List

If a ~~VR counselor~~VRC contacts a customer to initiate services and she/he is not ready to begin working with IDVR, the ~~VR counselor~~VRC needs to help the customer make an informed decision about how to proceed. If a customer does not wish to, or is unable to proceed with IPE development, IDVR will close the case and the customer must reapply. IDVR cannot 'hold' a spot on the waiting list nor can a customer be put back at the top of the list. The ~~VR counselor~~VRC needs to discuss the reasons the customer is not ready to proceed and whether a reasonable time frame can be agreed upon to resolve the issues.

14.5 Information and Referral (I&R)

When operating under Order of Selection, IDVR is required to offer Information and Referral (I&R) services to customers who cannot be served and must wait for services because of the Order of Selection.

IDVR must document and retain information about referrals to other Federal and State programs that provide employment-related services.

Information and Referral Requirements

Federal regulations establish minimum requirements under I&R as follows. IDVR must:

- A. Provide customers with accurate vocational rehabilitation information and guidance (which may include counseling and referral for job placement) to prepare for, get, or keep a job.
- B. Refer customers with disabilities to other Federal or State programs that are best suited to address their specific employment needs, including partners in the workforce investment system.
- C. Initiate a notice of referral identifying:
 - a. The name of the program to which the customer is referred;
 - b. A contact person in that program; and
 - c. Information about the most suitable services to assist the customer prepare for, get or keep a job.

14.6 Counseling and Guidance

To provide customers with accurate VR information and guidance, which may include counseling and referral for job placement, an [ID-VR](#) counseling staff member talks to the customer about his/her need to prepare for, get or keep a job. The ~~VR~~[IDVR](#)-counseling staff member provides advice and guidance about how the customer might proceed, explains referral sources available, and offers to initiate a referral to another program, if appropriate. These interactions occur in the course of other activities, such as completing the application, intake, and eligibility determination.

For customers who choose not to apply for IDVR services because of the Order of Selection, a general guideline is to limit I&R services to one appointment. The ~~VR counselor~~[VRC](#) will NOT establish an on-going counseling relationship nor perform follow-up services regarding I&R.

Counseling and Guidance – Referrals

Each office will maintain a list of Federal and State programs with which IDVR has established a formal referral relationship. It is expected that the Idaho Department of Labor One-Stop Centers will be used extensively, but not exclusively, for the referral of customers who either choose not to apply or are on a waiting list to receive IDVR services. Other programs to be used in this capacity, as appropriate, include Tribal VR programs and other community programs. Because of limited resources in some areas and the unique needs of some customers with disabilities, there may not be an appropriate program available to every person.

Counseling and Guidance – Job Placement

~~VR~~[IDVR](#)-counseling staff may provide brief counseling for job placement. If the customer intends to engage in independent, self-directed job search or related activities, the ~~VR~~[IDVR](#) counseling staff member may provide brief counseling to assist the customer in this effort. Examples of counseling and referral for job placement may include, but are not limited to:

- A. A counseling session with the customer to discuss what efforts to find a job the customer has already tried and offering other job search strategies and suggestions.
- B. Reviewing and giving advice on a customer's resume.
- C. Discussing reasonable accommodation issues and strategies for approaching an employer.
- D. Discussing and providing the customer with access to the Internet or another resource.
- E. Sharing information about the local labor market.

14.7 Documenting a Formal Referral

All referrals to employment-related programs must be documented, including referrals for customers who have applied and are waiting for services. Each [Regional Manager](#)[RM](#), or designee, will identify and maintain the list of regional referral sources that require a formal referral. Each time a customer is referred to one of the listed organizations, the [IDVR](#) staff

member documents the referral in the case management system. Every case will have an entry in the case management system prior to transferring the case to the Order of Selection waiting list, or the case service record will document efforts to locate referral sources and the reason(s) a referral was not provided.

If a customer requests a referral, the [IDVR](#) staff member prepares and sends a written referral to the organization. In addition, the [IDVR](#) counseling staff member provides the customer being referred with the following:

- A. A copy of the written referral notifying the other federal or state program about the referral.
- B. The name of the person in that organization to be contacted by the customer being referred.
- C. Information about the most suitable services to prepare for, secure, retain, or regain employment.

Informal Referrals

~~VR counselor~~[VRCs](#) routinely provide information to applicants and eligible customers about a wide array of community assistance programs that may offer services or benefits to assist the customer meet a variety of needs (food or clothing banks, medical programs, counseling services, etc.). These types of referrals are considered informal referrals. IDVR staff are encouraged to continue providing customers with information about other programs that offer services to assist them in meeting a variety of needs.

14.8 Post Employment Services

Order of Selection does not impact or alter the provision of post-employment services. Post-employment services are considered an amendment of the IPE, and therefore, a customer who needs post-employment services is not required to meet the highest priority category currently being serviced under an Order of Selection nor is the customers required to wait for services.

If substantial services are needed, PES is not appropriate. A new application should be taken and would be subjected to Order of Selection.

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