TAB	DESCRIPTION	ACTION
1	**IDAHO STATE UNIVERSITY ANNUAL REPORT AND TOUR**	Information Item
2	**CHAIRMAN'S REPORT**	Information Item
3	**NORTHWEST REGIONAL ADVISORY COMMITTEE UPDATE**	Information Item
4	**IDAHO CAREER TECHNICAL EDUCATION ANNUAL REPORT**	Information Item
5	**BOARD POLICY I.E. – EXECUTIVE OFFICERS – FIRST READING**	Motion to Approve
6	**BOARD POLICY I.J. – USE OF INSTITUTIONAL FACILITIES – FIRST READING**	Motion to Approve
7	**BOARD POLICY BYLAWS – SECOND READING**	Motion to Approve
8	**IDAHO INDIAN EDUCATION COMMITTEE - BYLAWS**	Motion to Approve
9	**IDAHO EDUCATOR PIPELINE REPORT**	Information Item
10	**ACCOUNTABILITY OVERSIGHT COMMITTEE – STATEWIDE ACCOUNTABILITY SYSTEM RECOMMENDATIONS**	Motion to Approve
11	**EDUCATION OPPORTUNITY RESOURCE COMMITTEE APPOINTMENT**	Motion to Approve

12	**TEMPORARY/PROPOSED RULE IDAPA 08.01.02 – POSTSECONDARY CREDIT SCHOLARSHIP PROGRAM**	Motion to Approve
13	**TEMPORARY/PROPOSED RULE IDAPA 08.01.04 – POSTSECONDARY RESIDENCY REQUIREMENTS**	Motion to Approve
14	**PROPOSED RULE IDAPA 08.01.09 – RULES GOVERNING THE GEAR UP IDAHO SCHOLARSHIP PROGRAM**	Motion to Approve
15	**TEMPORARY/PROPOSED RULE IDAPA 08.02.01.801, RULES GOVERNING ADMINISTRATION – CONTINUOUS IMPROVEMENT PLANS**	Motion to Approve
16	**TEMPORARY/PROPOSED RULE IDAPA 08.02.01, RULES GOVERNING ADMINISTRATION – LITERACY GROWTH TARGETS**	Motion to Approve
17	**TEMPORARY/PROPOSED RULE IDAPA 08.02.01, RULES GOVERNING ADMINISTRATION – STATEWIDE AVERAGE CLASS SIZE**	Motion to Approve
18	**PROPOSED RULE IDAPA 08.02.02, RULES GOVERNING UNIFORMITY – TEACHER CERTIFICATION REQUIREMENTS**	Motion to Approve
19	**PROPOSED RULE IDAPA 08.02.03, RULES GOVERNING THOROUGHNESS – CAREER TECHNICAL EDUCATION CONTENT STANDARDS**	Motion to Approve
20	**PROPOSED RULE IDAPA 08.02.03.105, RULES GOVERNING THOROUGHNESS – PROFICIENCY GRADUATION REQUIREMENT**	Motion to Approve
21	**TEMPORARY/PROPOSED RULE IDAPA 08.02.03, RULES GOVERNING THOROUGHNESS – CIVICS AND GOVERNMENT CONTENT STANDARDS PROFICIENCY – GRADUATION REQUIREMENT**	Motion to Approve
22	**PROPOSED RULE IDAPA 08.02.03, .111 – 114, RULES GOVERNING THOROUGHNESS – COMPREHENSIVE ASSESSMENT PROGRAM AND ACCOUNTABILITY REQUIREMENTS**	Motion to Approve

23	**PROPOSED RULE IDAPA 08.02.05, RULES GOVERNING PAY FOR SUCCESS CONTRACTING**	Motion to Approve
24	**PROPOSED RULE IDAPA 08.05.01, RULES GOVERNING SEED AND PLANT CERTIFICATION**	Motion to Approve
25	**PROPOSED RULE IDAPA 47.01.01, RULES OF THE DIVISION OF VOCATIONAL REHABILITATION**	Motion to Approve
26	**PROPOSED RULE IDAPA 47.01.02, RULES AND MINIMUM STANDARDS GOVERNING EXTENDED EMPLOYMENT SERVICES**	Motion to Approve
27	**PROPOSED RULE IDAPA 55.01.03, RULES OF PROFESSIONAL TECHNICAL SCHOOLS – CAREER TECHNICAL SCHOOLS**	Motion to Approve

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 ISU 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.

ISU will provide a tour for Board members as follows:

10:00 a.m. - Pick up at Student Union

10:20 a.m. - Walking tour of Gale Life Sciences Complex

11:20 a.m. - Walking tour of Museum of Natural History

12:00 p.m. - Return to Student Union for lunch

IMPACT

ISU utilizes an Institutional Effectiveness and Assessment Council framework to support mission fulfillment. Use of ISU's strategic plan drives the University'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 – Annual Progress Report Page 3

BOARD ACTION

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

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2016

Idaho State University Progress Report

President Arthur Vailas
Idaho State University

Idaho State University Progress Report
August 2016

Strategic Plan Implementation

(The institutions as well as progress toward moving the Board's strategic plan forward)

- Details of implementation
- Status of goals and objectives
- Special appropriations

ISU's Planning and Implementation Process

Creating a New Plan

Idaho State University (ISU) began its process of creating a new strategic plan in the fall of 2015 and it will conclude in June 2017. The deliberate nature of the development of the plan was a result of the leadership's desire to significantly shift ISU's executive decision-making processes. ISU's leadership recognized the need to transition their decision-making process from an operationally focused lens to one that was strategic. The development of that framework coincided with the beginning of the strategic planning process. ISU also recognized the need to align the University's strategic, academic, enrollment and budget plans. Finally, institutional leadership wanted to create an atmosphere that fosters internal and external relationships by incorporating processes that encourage inclusion and transparency. The oversight of the strategic planning process, its implementation, and the evaluation is now the responsibility of the Institutional Effectiveness & Assessment Council (IEAC), which is made up of the Steering Committee and six subcommittees.

The first phase of the revision of strategic plan began after the Northwest Commission on Colleges and Universities (NWCCU) recommended as part of ISU's Year Seven accreditation report in 2014 that it revise its mission and core themes to more closely align with one another. To comply with the NWCCU recommendation, the IEAC utilized the four Core Theme Subcommittees who drafted a revised, proposed mission statement and four core themes. To foster the IEAC's objective of increasing inclusion and transparency in university planning, the Associate Vice President of Institutional Effectiveness facilitated university open-forum meetings and conducted an email campaign to collect feedback. In March, after the State Board of Education's (SBOE) approval, ISU submitted the new mission statement and four core themes to the NWCCU. The administration expects the NWCCU to provide feedback on the changes before the beginning of the fall semester.

The second phase of ISU's strategic planning process began in May when the IEAC approved the creation of the Strategic Planning Working Group. The working group, composed of faculty, staff, students and additional stakeholders, is responsible for creating the remainder of the new plan and evaluating its implementation and execution. The working group will receive training in August then begin creating a new vision statement, the strategic objectives, and the new measures for the objectives. The IEAC

Subcommittees will then create the supporting action plans and establish their associated measures.

To continue the efforts of increasing transparency and inclusion, the IEAC has incorporated into the planning process multiple opportunities for customers and stakeholders to provide feedback. After the working group incorporates the feedback, ISU will submit a draft of the 2018-2022 Strategic Plan to the SBOE in April 2017. The final approval of the new plan will occur in June and ISU will implement it in July.

ISU's Current 2017-2021 Strategic Plan

Idaho State University's 2017 Strategic Plan supports the transition between the old and the new plans. Redesigned, it incorporates a new measuring system that focuses on ISU demonstration of mission fulfillment by utilizing the core themes as overarching strategic goals. Each of the four core themes has multiple indicators and benchmarks established by the IEAC Core Theme Subcommittees; the subcommittees also included the indicators directed by SBOE.

The process to determine if ISU is achieving mission fulfillment is: first add together the indicators' scores within each of the core themes then average that sum. This score represents the core theme's fulfillment. The next step is to add together the four core theme scores then average that sum. This score equates to mission fulfillment. The University's leadership determined that a successful core theme and mission fulfillment ranges between 80-100 percent. As ISU achieves success in accomplishing its core themes, its mission fulfillment score increases proportionally.

Mission Fulfillment Score

Current Mission Fulfillment Score	Core Theme	Core Theme Score
86%	Core Theme 1: Learning and Discovery	88%
	Core Theme 2: Access and Opportunity	88%
	Core Theme 3: Leadership in Health Sciences	90%
	Core Theme 4: Community Engagement and Impact	81%

State Board of Education Strategic Indicators:

Indicator	Benchmark	2015 Score
Number of graduate assistantships with teaching and/or research responsibilities	366	333
Percentage of students enrolled in either an undergraduate or a graduate research course	1,903	1,813
Indicator	**Benchmark**	**2015 Score**
Number of students enrolled in ISU's Early College Program	2,232	2,344
Total number of credits earned in ISU's Early College Program	13,855	18,746
Retention rate of degree-seeking first-time student	80%	74.3
Retention rate of degree seeking new transfer degree-seeking students	85%	74.3
Cost per weighted credit hour to deliver an undergraduate education.	$324.41	$340.63
Completion of undergraduate certificates (1 year or greater) and degrees per $100,000 of education and related spending (i.e., full cost of instruction and student services, plus the portion of institutional support and maintenance assigned to instruction).	1.19	1.70
Total degree production (undergraduate)	1,685	1,769
Total degree production (graduate)	598	628
Unduplicated headcount of graduates and percent of graduates to total unduplicated headcount (undergraduate).	1,631/ 20%	1,713
Unduplicated headcount of graduates and percent of graduates to total unduplicated headcount (graduate).	590/ 31%	620

Enrollment Numbers

(As reported in the performance measure report)

Enrollment Numbers	FY 2013	FY 2014	FY 2015	FY 2016
Annual (unduplicated) Enrollment Headcount				
- Professional Technical	1,771	1,595	1,457	1,378
- Undergraduate	14,509	14,273	13,951	12,898
- Graduate	2,900	2,772	2,665	2,414
Total:	**19,180**	**18,640**	**18,073**	**16,690**
Annual Enrollment Full-Time Equivalency (FTE)				
- Professional Technical	960	870	810	788
- Undergraduate	7,911	7,680	7,861	7,759
- Graduate	2,088	2,106	2,137	2,042
Total:	**10,959**	**10,656**	**10,808**	**10,589**

Retention Rates

(As reported in the performance measure report)

Retention Rate Description	FY 2013	FY 2014	FY 2015	FY 2016	Benchmark
Retention rate of degree-seeking first-time full-time and new transfer students returning for a second year					
-First-time full-time degree-seeking	62.1%	66.8%	71.3%	71.5%	80.0%
-New transfer degree-seeking	69.2%	73.5%	74.3%	76.4%	85.0%

Graduation Rates

(As reported in the performance measure report)

Graduation Rates	FY 2013	FY 2014	FY 2015	FY 2016
Graduation Rates (Percent of full-time, first time students from the cohort of new first year students who complete their program within 1½ times the normal program length)	35%	34%	33%	32%

Degrees Awarded	FY 2013	FY 2014	FY 2015
Degrees/Certificates Awarded			
- Technical Certificates	219	167	199
- Associate	354	393	363
- Bachelor	1,136	1,181	1,123
- Master	480	474	438
- Doctorate	154	146	160
Total:	**2,343**	**2,361**	**2,283**
% awarded in Health Professions	32%	34%	32%
% awarded in STEM Disciplines	19%	17%	17%

Research and Economic Development

Intellectual Property Foundation (IPF) Budget and Operations: The FY 2017 budget has been prepared, and provisions in the budget provide for the procurement of commercialization revenues to allow the IPF will become self-sustainable. In this regard, the IPF received its first royalty disbursement from one of its private company partners, in the amount of $100,000.

IPF Technology Summit and Entrepreneurship Conference: Bi-weekly meetings are currently being held with planning committees in preparation for a two-day technology summit and entrepreneurship conference at ISU Pocatello in February of 2017.

IPF/Center for Entrepreneurship and Economic Development (CEED) Collaboration: Joint coordination and collaboration efforts continue between the IPF and CEED to facilitate progress of ISU technologies toward market entry while also providing support for CEED activities.

Private Sector Collaboration and Growth in Idaho: Talks to develop partnerships with new private-sector entities, including talks to relocate companies to Idaho from other locations in the United States, Japan, and Australia are ongoing on progressing.

Technology Evaluation Process: Analysis and evaluation of potential for technologies developed at ISU continues, both in collaboration with external research partners and the Bengal Solutions teams at ISU.

Increasing ISU Presence: The Director of Technology Commercialization is continuing to increase the public awareness of technology commercialization at ISU through contributions to publications and presentations to local and national groups and professional organizations.

Increased Revenue Generation: Developmental collaborations with startups and established companies continue to grow, and reports from initial licensees of ISU-owned

intellectual property indicate that early-stage market entry and profitable return is expected soon, as scale-up of production for those technologies developed together with ISU researchers is achieved.

Entrepreneurial Efforts Increase: Multiple startup company projects are in development from both student groups and faculty researchers, with at least two new companies expected to be founded within the next 6 months.

Research and Sponsored Projects Update (Internal)

Awarded over $98,000 in internal Seed Grants: These Seed Grants support junior faculty starting their research or senior faculty changing the direction of their research.

Awarded over $169,000 in internal Developing Collaborations Grants: The Developing Collaborative Partnerships internal grant program supports the development of large-scale interdisciplinary/collaborative research projects.

Awarded $35,000 in internal Faculty Travel Grants: These funds serve to develop faculty research, scholarly, and/or creative activities.

Total internal grants awarded = $302,768 across five different colleges.

Supported over 60 faculty in attending Grant Writers Seminars & Workshops: Further, of these 60+ faculty members, 6 were selected to engage with GWSW consultants to develop actual proposals for submission to various funding agencies such as NSF and NIH.

Continued transition to paperless environment: Further implementation of electronic routing and approvals of Cayuse and data management systems.

Implemented an electronic poster and presentation process: Academic departments and campus groups can utilize (free of charge) up to 60 large panel electronic displays to more accurately display their research and scholarly activities at campus functions.

Research and Sponsored Projects Update (External)

ISU Extramural Research Portfolio: The growth target of 3% for increase in extramural funding from FY15 to FY16 has been far exceeded. Final numbers are not yet in, but extramural funding for research through grants and contracts will show a growth of at least 10%. This will continue and reinforce the recent two-year positive growth profile and competitive sustainability for ISU as depicted in the following graph:

HERC Infrastructure Funds: The HERC infrastructure funds of $250,000 for FY16 are currently being deployed to create a new and extremely powerful Research Data Center (RDC) on the Pocatello campus. It is expected that the entire ISU community will benefit from the computing power made available by the significant infrastructure upgrade.

Research CAES Associate Director: Richard Jacobsen was appointed ISU Associate Director of CAES October 28, 2015, to replace Jason Harris who left for a position at Purdue.

CAES/INL/ISU Joint Appointments: ISU hired two new employees on joint-appointments with INL in Idaho Falls, Drs. Leslie Kerby and Haiming Wen. Both began in January, 2016, and are enjoying success in their research work with INL.

CAES proposal to DOE-NE for ISU participation in a Nuclear Energy Strategic Analysis Center: April 13. Proposal is still under consideration.

Launch of the Bioskills Learning Center in Meridian: Pilot event for local health care providers held in June, 2016.

DOE NEUP (Nuclear Energy University Programs) Awards: Announced in mid-June 2016, ISU won awards that included $80,805 for Reactor Upgrades in the Infrastructure category, and $500,000 (for year 1 out of a $3M total award over 3 years) to Dr. Haiming Wen for Enhancing Irradiation Tolerance of Steels via Nanostructuring by Innovative Manufacturing Technologies in the Nuclear Energy Enhancing Technology Awards category.

Cyber security initiative at CAES: Cybersecurity for the Nuclear Industry - Meeting scheduled July 22, 2016.

Industry Funding and Relationships Update:

C*urrently active/funded projects*

YTD for FY16: ISU received the following funding from business & industry partners including Google at $581,000, NuMat at $220,000, ScanTech Identification Beam Systems, LLC at $2,3000,000 and a second commitment of ScanTech Services, LLC, of $86,000.

Projects in negotiation

Medical Isotopes

An Australian company will be partnering with the IAC to develop combination pharmaceuticals for cancer treatment together with ISU's Cu-67 project. The company is a co-sponsor with significant financial involvement in an IGEM proposal currently under review.

Air Filter Technology

Idaho Commerce and ISU's Technology Commercialization Office are working with an ISU PI in seeking an industry partner for new air filter technology: a Pocatello-based portable solar power company with close ties to Venture Capital in Utah and California is currently the primary lead.

Power Industry Effluent

ISU's Technology Commercialization Office is working with an ISU PI in partnership with the Intermountain Power Services Corporation related to a technology for recovering rare earth elements from coal ash and other power industry effluent.

STTR Proposal in Preparation

ISU is partnering with NuMat Inc. in the submission of a multiyear Small Business Technology Transfer (STTR) grant proposal.

Office for Research: Compliance Improvements Update

Export control: Development of export control processes at ISU, RISE Technology Control Plan, processes set up for review of international travel, purchasing, shipping internationally

Animal Research: AAALAC full accreditation reinstated, developed occupational health review program for animal research.

Biosafety: External review of biosafety process, continued development of the biosafety process at ISU

Diversity and Outreach: Increased URM student participation in ISU MURI (NSF EPSCoR), URM attendance at Robotics camp. Women of Color student group developed. Increased community outreach for STEM at ISU. Increased connections with URM community in the area.

Conflict of Interest Policy: Continued refinement of required COI verification on sponsored projects

Highlight Any College Standouts

College of Arts & Letters
• Creation of Liberal Arts High to Connect ISU Faculty and Regional High School Teachers
• Opening of Integrated Research Center to Facilitate Interdisciplinary Collaborations Across Campus
• Interdisciplinary Collaborative Narrative Book Contract and Publication in the Journal for Teaching and Learning with Technology
• Enhanced Graduate Enrollment by 6.8%
• Successful Launch of the Teaching of English Composition Book Award
• Hired new Jazz Studies Faculty Member to extend Musical interests and expertise
• First Irish FTLA Student and Fulbright Award for Dr. Alan Johnson
• Established 9 new named Endowed Scholarships

College of Business
• Successfully recruited three additional Ph.D.s in Accounting to join the faculty in the fall of 2016
• Hired new Chair of the Department of Accounting
• Put forth a proposal for a Master of Science in Health Informatics (MSHI)
• Put forth a proposal to the Undergraduate Curriculum Committee for a Bachelor of Business Administration in Economics
• The College of Business presented proposals to Graduate Council for both a Master of Science in Data Analytics and, in cooperation with the Division of Health Sciences, a Master of Healthcare Administration
• New Technology Teaching and Learning Center, featuring a drop in laptop-based teaching lab and a multi-purpose classroom capable of supporting Collaborate, Skype, Google Hangouts, lecture capture, and distance learning to two remote sites simultaneously
• The College of Business is aggressively launching in Twin Falls. There are currently in excess of 350 students in CSI's academic two-year program in business. Seek to satisfy this market with high quality bachelor degrees offered on the CSI campus

College of Education

- Successful Initial accreditation by the Commission on Accreditation of Athletic Training Education (CAATE) New Master of Science in Athletic Training Program -March 2015
- Successful National Council for Accreditation of Teacher Education (NCATE) visit and all standards met in the Teacher Preparation Program -September 2015
- CPI Tutoring Program-60 tutors, 4,800 hours, 20 area schools
- The Albion Center for Education Innovation has begun a multi-year comprehensive school support project with the American United School in Kuwait centered on improving teaching and learning in multiple content areas and school leadership
- The first annual KidU Summer Camp six-week program provides educational and recreational experiences for 1st-6th grade students
- Partnered with nine Southeast Idaho High Schools in establishing Future Educator Association Clubs
- The Center for Sports Concussion-provides educational outreach in Eastern Idaho on sports-related concussions in the adolescent athlete
- The opening of the ATLAS Center to centralize Advising, Teaching, Learning, and Student Services

College of Science & Engineering

- Significant Enrollment Growth: CoSE student majors up by 10%, 225 students over previous academic year
- In FY15 CoSE faculty secured $6.1 million in research funding
- Student pass rates in nine introductory Math, Science and Engineering courses increased by 5-20% due to a new Proactive Advising Initiative

College of Technology

- COT is starting five new programs as a result of industry demands
  - 3 of the 5 are in line the University's health mission
  - will directly assist veterans in achieving nursing degrees
  - OTA will be the only program of its kind in the state
- UAS-an emerging field with high visibility and demand
- Cyber-Physical Security is in direct alignment with what the Department of Homeland Security and the Idaho National Lab are touting as one of the most needed and important fields for the future

Division of Health Sciences

- Construction of the L.S. and Aline W. Skaggs Treasure Valley Anatomy and Physiology Laboratories (TVAPL) completed at ISU-Meridian with Grand Opening-Fall 2015
- Bengal Lab organized to begin January 2016

- Bengal Pharmacy opened tele-pharmacy in Challis, ID
- Billing & Practice Management System in Clinics implemented
- Increased Collaboration with Gritman Medical Center
- Created and Restructured Community & Public Health Department:
  - Health Education
  - Master of Public Health
- Created Emergency Services Department:
  - Emergency Medical Services
  - Fire Services Administration
  - Paramedic Science
- Established "Health Bengal" Initiative
- Expanded MLS to Idaho Falls Location
- Joint Pharmacy Programs w/University of Alaska Anchorage
- Doubling of PAS space in Meridian completed to accommodate Caldwell student cohort
- SPA Program renovated space for additional research labs
- Additional Program Accreditations in HCA, MPH and RS
- Moving forward with an accredited institution for Interprofessional Continuing Education
- The Residencies-- the Dental Residency and Family Medicine were both re-accredited in Fall 2015
- Nursing graduated its first Ph.D.
- Dental Hygiene opened a clinic in Idaho Falls on the EITEC campus

Collaborations with Other Institutions or Industry

Collaborations in Graduate Education and Related: BYU-Idaho, South Dakota University, and the INL (Working on partnering with them to promote internships).

Partnership between the INL and ISU, current state:
In FY2015, the INL hired total of 32 graduates from Idaho State University, the largest number by far of any Idaho university.

In FY2015, the INL employed 32 Interns and 1 postdoc from ISU. The number of ISU interns is the largest of all Idaho universities with the exception of BYU-I.

Strategically, ISU is partnering with the INL on workforce development into needed disciplines by creating more joint appointments in areas of need. In this regard, ISU faculty and administrators are engaging several Directorates in the INL (including N&HS, NS&T and EES&T) with a view to optimize joint and reverse joint appointments, sharing of graduate students and projects by giving access to graduate students at ISU, to joint faculty appointments at rank, to appropriate qualified INL staff. This will particularly focus on areas of INL current and future needs. Currently, three new joint appointments are in the process of being negotiated and the hiring process will start soon.

Further, ISU is setting up to approach the INL to plan for increases in intern and postdoc opportunities and also considering partnering with joint faculty to obtain input in curriculum design and delivery. The following areas are of particular interest to both the INL and ISU: energy and environment, chemistry and chemical engineering, radiation and rechnical safety, nuclear science, technology and nuclear engineering, and cyber- and computer security training and research (including national and homeland security).

Capital Campaign

- Academic Enhancements
- Scholarship Endowment

Idaho State University does not currently have a capital campaign.

Community Partnerships

Idaho State University Bengal Pharmacy operates in Pocatello, Arco, Challis, and has received approval from the Foundation Board to open a location in Council in Fall 2016. In addition, there is a request pending to partner with Kendrick.

New Buildings

While Idaho State University has made a number of enhancements and improvements to buildings, there are no new buildings.

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SUBJECT

Chairperson Report

BACKGROUND/DISCUSSION

The Planning, Policy and Governmental Affairs chairperson would like to discuss adding a standing agenda item for providing updates to the full Board on issues that are being worked on by the committee and would come to the Board at a later date.

Updates would serve as a notification but would not lead to a general discussion of the issues unless properly noticed in the agenda in compliance with Idaho's open meeting law.

BOARD ACTION

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

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SUBJECT

Northwest Regional Advisory Committee Update

BACKGROUND/DISCUSSION

The Comprehensive Centers (Centers) program is authorized by Title II of the Educational Technical Assistance Act of 2002 (ETAA) and the Education Sciences Reform Act (ESRA) of 2002. The U.S. Department of Education (Department) funds these Centers to provide technical assistance to State Education Agencies (SEAs) that builds SEA capacity to: support local educational agencies (LEAs or districts) and schools, especially low-performing districts and schools; improve educational outcomes for all students; close achievement gaps; and improve the quality of instruction.

Before a competition for the Centers program is held, the ETAA requires the establishment of ten (10) Regional Advisory Committees (RACs) (not to exceed 25 members). The purpose of these committees is to collect information on the educational needs of each of the ten (10) regions served by the Regional Educational Laboratories as part of the Centers program. To the extent the Secretary deems appropriate, the Department will use the information submitted by the RACs, along with other relevant regional surveys of needs, to establish priorities for the next cohort of Centers.

The US Department of Education changed the process for obtaining recommendations from consensus to seeking the technical advice of each individual RAC member. Not later than six months after each RAC is convened, they will submit a report based on this needs assessment to the Education Secretary. The report will contain an analysis of the educational needs of their region and each individual's technical advice to the Secretary regarding how those needs might be most effectively addressed. The Secretary shall establish priorities for the next cohort of comprehensive centers, taking into account these regional needs identified by individual RAC members and other relevant regional surveys of educational needs, to the extent the Secretary deems appropriate.

Dr. Linda Clark was nominated and chosen by the U.S. Department of Education to serve as a member of the RAC to provide technical advice. Dr. Clark will update the Board on the RAC's work completed thus far and the survey used to collect feedback.

IMPACT

The feedback obtained from the online survey, located at the following link: https://www.surveymonkey.com/r/PML2GPN, will provide guidance to address educational issues of our region and how the U.S. Department of Education's Comprehensive Centers can provide assistance to address these same issues.

BOARD ACTION

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

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IDAHO DIVISION OF CAREER TECHNCIAL EDUCATION

SUBJECT

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 the Division of Career Technical Education (Division) 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, State Administrator of the Division, will provide an overview of Division's progress in carrying out the agency's strategic plan.

ATTACHEMENTS

Attachment 1 – Progress Report Page 3
Attachment 2 – Presentation Page 5

BOARD ACTION

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

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We prepare Idaho's youth and adults for high-skill, in-demand careers.

IDAHO Career & Technical Education

Journey to Career: Update on ICTE

Presented by State Administrator Dwight Johnson
August 11, 2016

Fostering Connections: CTE image

- Name change to ICTE (captures the CTE momentum and aligns to national identification)
- New look and logo (embodies energy, forward momentum, and connection)
- New website (now with resources for students, and industry)

Increasing CTE Program Quality

Program Alignment

- Increasing advanced opportunities
- 2015: 9 postsecondary programs horizontally aligned
- 2016: 13 postsecondary programs horizontally aligned
- Professional Development of teachers for Vertical Alignment

Idaho SkillStack®

- Idaho SkillStack® badges clearly communicate an individual's skills to the world.

Meaningful Assessments

- Program Quality Review
- Technical Skill Assessments
- Workplace Readiness Assessment

CTE Credit for HS Graduation

Growing CTE Digital

- Bringing the opportunity of CTE to all of Idaho.

Connecting Education to Employment

- Engaging Industry
- College & Career Advising

Enhancing CTE Teacher Pipeline

- Devoting resources to increase recruitment and retention
- Reducing costs and barriers to becoming a CTE teacher

Expanding ICTE Capacity

- Enhancing productivity with creative capacity solutions
- Improving office culture

Dwight Johnson, State Administrator
Dwight.Johnson@cte.Idaho.gov – 208.429.5501

We prepare Idaho's youth and adults for high-skill, in-demand careers.

IDAHO Career & Technical Education

Journey to Career: Update on ICTE (cont.)

Presented by State Administrator Dwight Johnson
August 11, 2016

ICTE Budget Overview:

Postsecondary	$47.53 Million
Secondary	$15.86 Million
ABE / GED	$3.36 Million
Statewide Initiatives	$1.66 Million
Division Support	$2.70 Million (3.8%)
Total:	**71.11 Million**

Investing in Idaho's Talent Pipeline

Postsecondary Total FY17 Appropriation: $47.53 Million

"ROI" Appropriated in FY17: $3.6 Million

"ROI" FY 18 Request:
★ $2.4 Million

Industry Partnership Request FY18:
★ $1 Million

Secondary Total FY17 Appropriation: $15.86 Million

Secondary budget breakdown:

Added Cost	CT Schools	Ag Incentive	Federal Perkins
$7.5 million	**$4.8 million**	**$325,000**	**$3.2 Million**

FY 2018 Increase Requested:
★ Added Cost - $375,000 (5% increase)
★ All Program Incentive Funding - $496,400 (Includes 1 FTE)

Dwight Johnson, State Administrator
Dwight.Johnson@cte.Idaho.gov – 208.429.5501

★ Budget Line-Item Request

We prepare Idaho's youth and adults for high-skill, in-demand careers.

IDAHO Career & Technical Education

Journey to Career

ICTE Annual Report

Idaho State Board of Education

August 11, 2016

Dwight Johnson, ICTE State Administrator

Dwight Johnson, ICTE State Administrator

IDAHO Career & Technical Education

About | Stories | Students & Family | Educators | Industry | Contact Us | News

I learn by doing with CTE.

Search

We prepare Idaho's youth and adults for high-skill, in-demand careers.

Idaho CTE Stories

Journey to Career, Information Technology

IPTV: Journey to Career, Information Technology

Watch the story of this first generation American as she pursues the field of information technology. Her family traveled to the United States in search of a better education, she began to realize that goal when she discovered a high school career & technical program. She encourages girls and

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IDAHO Career & Technical Education

CTE Program Alignment

Dwight Johnson, ICTE State Administrator

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IDAHO Career & Technical Education

Industry + Faculty = Learning Outcomes

Horizontal Alignment

Vertical Alignment

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IDAHO Career & Technical Education

Programs Horizontally Aligned:

2015

- Administrative Services
- Auto Collision Repair
- Automotive Technology
- Computer Support
- Diesel Technology
- Precision Machining
- Programming Software Development
- Web Design Development
- Welding

2016

- Agribusiness
- Animal Science
- Applied Accounting
- Commercial Graphic Design
- Culinary
- Drafting Technology
- Electronics
- Hospitality Management
- Marketing
- Networking Technology
- Ornamental Horticulture
- Pre-Engineering Technology
- Residential Construction

Dwight Johnson, ICTE State Administrator

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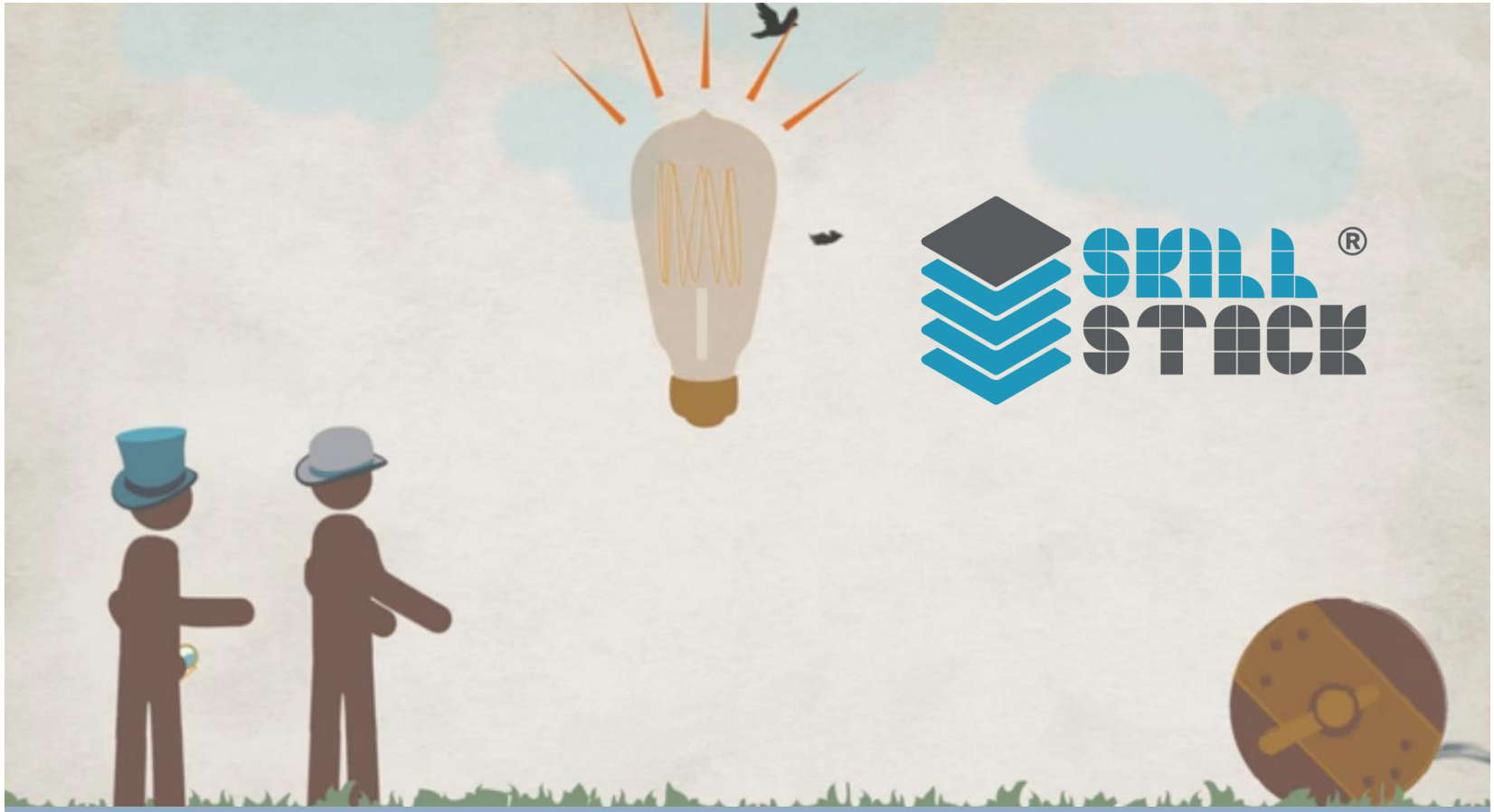
IDAHO Career & Technical Education

Program Quality

- Standards Development
- Technical Skill Assessments
- Workplace Readiness Assessments
- Training at Annual Professional Development Conf.

Dwight Johnson, ICTE State Administrator



Video

It's all about your Skills.

Dwight Johnson, ICTE State Administrator

We prepare Idaho's youth and adults for high-skill, in-demand careers.

IDAHO Career & Technical Education

Connecting Education to Employment

- Career & College Advising
- Applied Learning Opportunities:
  - Work-based learning
  - School-to-Registered Apprenticeships
  - Internships
  - Career Technical Student Organizations
- Improve Technical Advisory Committee Model
- CTE Credit for HS Graduation

Dwight Johnson, ICTE State Administrator

IDLA Digital Learning Portal

LOGIN

Idaho Digital Learning Academy

Idaho Digital Learning

Course Catalog

Search Courses

CTE

SEARCH BACK

Available Courses

	Course	Provider	Type	Level
View	Business Computer Applications A	IDLA	Standard	High School
View	Business Computer Applications B	IDLA	Standard	High School
View	Fundamentals of Health Professions	IDLA	Standard	High School
View	Fundamentals of IT	IDLA	Standard	High School
View	Medical Terminology	IDLA	Standard	High School

CTE Digital: Bringing the opportunity of CTE to all of Idaho.

Enhance CTE Teacher Pipeline

We prepare Idaho's youth and adults for high-skill, in-demand careers.

IDAHO Career & Technical Education

ICTE Budget Overview:

Postsecondary	$47.7 Million
Secondary	$15.86 Million
ABE/GED	$3.18 Million
Statewide Initiatives	$1.66 Million
Division Support	$2.70 Million (3.8%)
CPM/Health Matters	$.40 Million
Total:	**$71.5 Million**

Dwight Johnson, ICTE State Administrator

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IDAHO Career & Technical Education

Postsecondary

Investing in Idaho's Talent Pipeline

Total FY17 Appropriation: $47.7 Million

- Federal Perkins Funding - $3 Million
- State Funding – $44.7 Million
  Includes $3.8 Million - "ROI Proposal" increase

★ **FY18 Budget Request:**
"ROI" Line-Items - $2.4 Million
Industry Partnership - $1 Million
Adult Basic Ed/GED® - $250,000

★ Budget Line-Item Request

Dwight Johnson, ICTE State Administrator

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IDAHO Career & Technical Education

Postsecondary

Invest in Idaho's Talent Pipeline

★ **Return on Investment Proposal:**
FY18 - $2.4 Million

16 Programs	Business, Health Care, Information Tech, Manufacturing, Transportation
High Demand	958 annual job openings
Current Graduates	138 with 100% placement (141 on wait list + new programs)
High Wages	Starting Salaries: $33,530 - $78,400
Request	$2,400,000 (5% funding increase)
Projected Results	248 additional graduates (180% increase)

★ Legislative Idea/Line-Item Request

Dwight Johnson, ICTE State Administrator

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IDAHO Career & Technical Education

Postsecondary

Invest in Idaho's Talent Pipeline

Industry Partnership Fund

★ **FY18 - $1 Million**

- SB 1332 – Passed but not funded
- Rapid Response fund
- Credit and Non-credit training
- Encourages industry commitment (cash or in-kind)
- Overseen by ICTE & Technical College Leadership Council

★ Legislative Idea/Line-Item Request

Dwight Johnson, ICTE State Administrator

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IDAHO Career & Technical Education

Secondary:

Investing in Idaho's Talent Pipeline

Total: FY17 Appropriation
$15.86 Million

Added Cost	CT Schools	Ag Incentive	Federal Perkins
$7.5 million	$4.8 million	$325,000	$3.2 Million

FY18 Budget Requested:

- ★ Added Cost - $375,000 (5% increase)
- ★ All CTE Program Incentive Funding - $498,500 (Includes 1 FTE)

★ Budget Line-Item Requests

Dwight Johnson, ICTE State Administrator

Weeks of:

- September 19, CSI CWI
- September 26, LCSC NIC
- October 10, ISU EITC

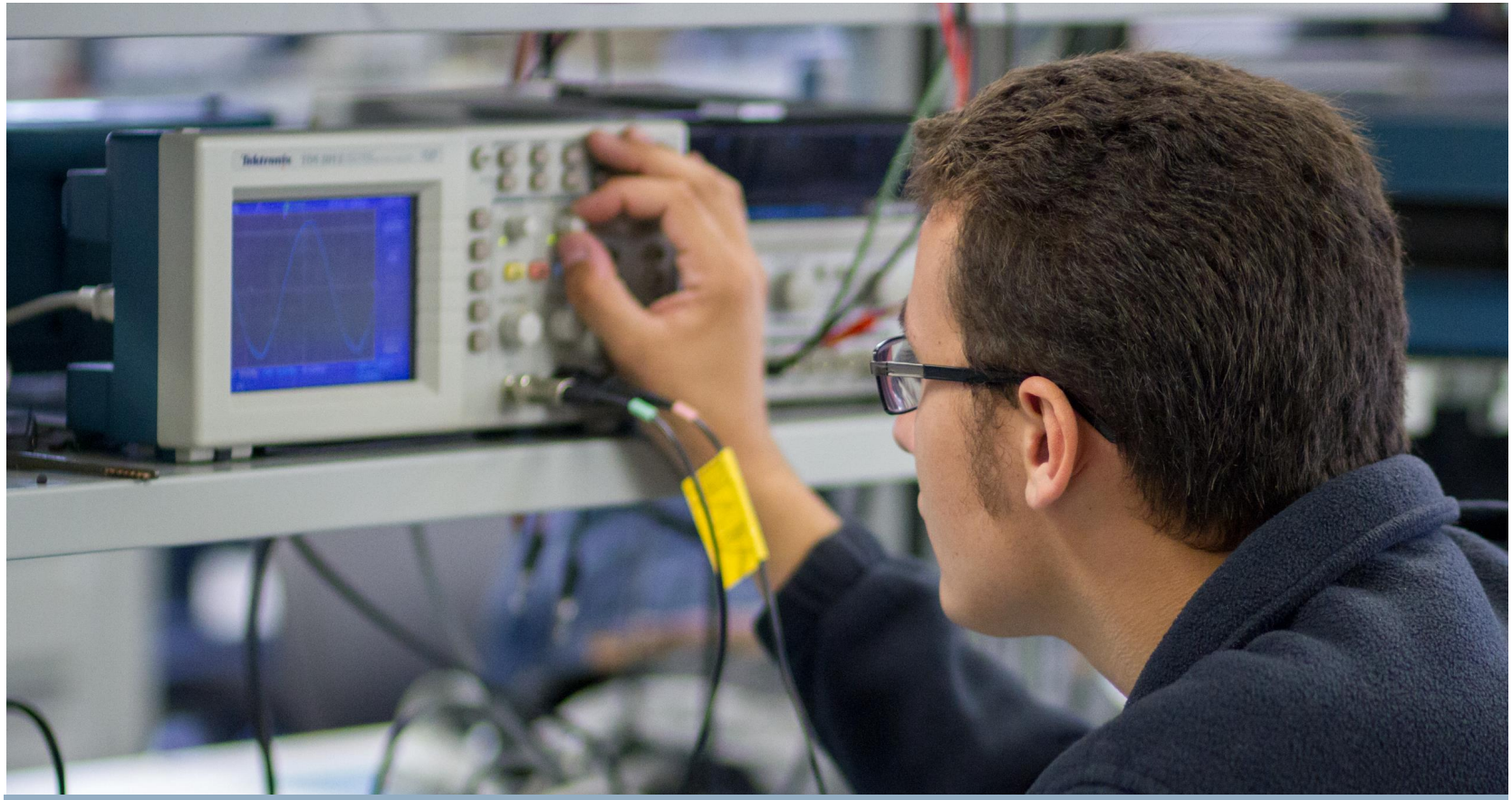
In partnership with:

Idaho Chamber Alliance

Legislative Tours

Addressing Division Capacity Enhancing Support for CTSOs

Dwight Johnson, ICTE State Administrator



Video

Together our mission is to prepare Idaho's youth and adults for high-skill, in-demand careers.

And…it's working!

Dwight Johnson, ICTE State Administrator

Fostering Connections: ICTE

Dwight Johnson, ICTE State Administrator

SUBJECT

Board Policy I.E. Executive Officers – First Reading

REFERENCE

December 2008	Board approved the first reading with changes of Board Policy I.E. Executive Officers, multi-year contracts.
February 2009	Board discussion of Board Policy I.E. Executive Officers
June 2009	Board approved second reading I.E. Executive Officers with amendments, multi-year contracts.
August 2009	Board Approved first reading with changes of Board Policy I.E.4. Reimbursement of expenses
October 2009	Board approved second reading of Board Policy I.E.4 Reimbursement of expenses
October 2010	Board approved first reading of Board Policy I.E.2. Presidents/Agency Heads allowing CEO's to receive stipends or other forms of compensation for unrelated duties or activities
December 2010	Board approved second reading of Board Policy I.E.2
December 2015	Board approved first reading of Board Policy I.E. Executive Officers, regarding the timely reporting of events.
February 2016	Board approved second reading of Board Policy I.E. Executive Officers

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Sections I.E. Executive Officers.

BACKGROUND/DISCUSSION

State Board of Education Policy, Section I.E., grants each institutional president the use of an institution automobile, maintained by the institution, or a vehicle allowance, at their discretion. When using an institution owned vehicle it is customary for the institution to assign the vehicle to the institution president for their sole use.

Currently state owned or controlled vehicles (with few exceptions for law enforcement) are required to be conspicuously marked as state vehicles (Idaho Code §49-2426) and are only allowed to be used for official business. This is not consistent with the current practice when a president has used an institution vehicle rather than receiving the vehicle allowance. The proposed changes to Board Policy I.E. Executive Officers would elimination the option for the chief executive officer to use an institution vehicle, and would set out provisions for reimbursement and insurance requirements when a personal vehicle is used for business purposes.

The proposed amendments bring the policy into alignment with state requirements, including Risk Management.

IMPACT

Approval of the proposed amendments would bring the policy into alignment with state law and risk management insurance requirements.

ATTACHMENTS

Attachment 1 – First Reading I.E. Executive Officers Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The proposed amendments were developed in conjunction with proposed amendment to Board Policy II.F. and the use of "courtesy cars." While neither policy amendment is dependent on the other, they are in alignment. Proposed amendment to Board Policy II.F. will be considered by the Board under a separate agenda item at the August Board meeting.

Staff recommends approval.

BOARD ACTION

I move to approve the first reading of proposed amendments to Board Policy section I.E. Executive Officers, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: I. GENERAL GOVERNING POLICIES AND PROCEDURES

SUBSECTION: E. Executive Officers ~~February~~ October 2016

1. Executive Director

   The Executive Director is appointed by and serves in this position at the pleasure of the Board. The Executive Director serves as the chief executive officer of the State Board of Education. Pursuant to Idaho Code 33-102A the Executive Director shall be under the direction of the Board and shall have such duties and powers as are prescribed by the Board. The Executive Director is charged with ensuring the effective articulation and coordination of institution, and agency concerns and is advisor to the Board and the Presidents/Agency Heads on all appropriate matters.

2. Presidents/Agency Heads

   a. Responsibilities

      The President/Agency Head is the chief program and administrative officer of the institution or agency. The President/Agency Head has full power and responsibility within the framework of the Board's Governing Policies and Procedures for the organization, management, direction, and supervision of the institution or agency and is held accountable by the Board for the successful functioning of the institution or agency in all of its units, divisions, and services.

      For the higher education institutions, the Board expects the Presidents to obtain the necessary input from the faculty, classified and exempt employees, and students, but it holds the Presidents ultimately responsible for the well-being of the institutions, and final decisions at the institutional level rest with the Presidents. The Presidents shall keep the Board apprised, within 24 hours, through the Executive Director, of all developments concerning the institution, its employees, and its students, which are likely to be of interest to the public.

   b. The Chief Executive Officer is held accountable to the Board for performing the following duties within his or her designated areas of responsibility:

      i. Relations with the Board

         1) Conduct of the institution or agency in accordance with the Governing Policies and Procedures of the Board and applicable state and federal laws.

         2) Effective communication among the Board, the Board office, and the institution or agency.

         3) Preparation of such budgets as may be necessary for proper reporting and planning.

4) Transmittal to the Board of recommendations initiated within the institution or agency.

5) Participation and cooperation with the office of the Board in the development, coordination, and implementation of policies, programs, and all other matters of statewide concern.

6) Notification to Board President or Executive Director of any out-of-state absence exceeding one week.

ii. Leadership of the Institution or Agency

1) Recruitment and retention of employees

2) Development of programs, in accordance with an evolving plan for the institution or agency.

3) In cooperation with appropriate parties, the promotion of the effective and efficient functioning of the institution or agency.

4) Development of methods that will encourage responsible and effective contributions by various parties associated with the institution or agency in the achievement of the goals of the institution or agency.

iii. Relations with the Public

1) Development of rapport between the institution or agency and the public that each serves.

2) Official representation of the institution or agency and its Board-approved role and mission to the public.

c. Appointment Terms and Conditions

Each chief executive officer is employed and serves at the pleasure of the Board as an at-will employee. Appointments to the position of President of the higher education institutions and Executive Director of the Board are made by the Board. The Executive Director shall have authority to identify candidates and make recommendations for the appointment of Agency Heads, which must be approved and appointed by the Board. The Board and each chief executive officer may enter into an employment agreement for a term not to exceed five (5) years that documents the period of appointment, compensation, and any additional terms. The Board's Policies regarding Non-classified Employees, Section II, Subsection F, do not apply to the Board's chief executive officers.

d. Evaluations

The Agency Heads are evaluated by the Executive Director annually, who makes recommendations to the Board with respect to compensation and employment

actions. The Presidents and Executive Director are evaluated by the Board annually. The performance evaluation is based upon the terms of any employment agreement, the duties outlined in the policy and mutually agreed upon goals. Final decisions with respect to compensation and employment actions with regard to chief executive officers are made by the Board.

e. Compensation and Benefits

i. Each chief executive officer's annual compensation shall be set and approved by the Board. A chief executive officer shall not receive supplemental salary compensation related to his or her service as chief executive officer from an affiliated institutional foundation, or from any other source except that institutional Presidents may receive perquisites or benefits as permitted by topic 3, subtopic d, below. A chief executive officer must disclose to the Board, through its Executive Director or in executive session as appropriate (with updates as necessary), any activities and financial interests, including compensation from an outside source unrelated to his or her service as chief executive officer, that affects or could potentially affect the chief executive officer's judgment or commitment to the Board or the institution.

ii. In addition to the compensation referred to above, each chief executive officer shall receive the usual and ordinary medical, retirement, leave, educational, and other benefits available to all institutional, and agency employees.

iii. Each chief executive officer shall receive reasonable and adequate liability insurance coverage under the state's risk management program.

iv. Relocation and moving expenses incurred by each chief executive officer will be paid in accordance with the policies and rates established by the State Board of Examiners.

v. Each chief executive officer earns annual leave at a rate of two (2) days per month or major fraction thereof of credited state service.

f. Termination
In the event a chief executive officer's appointment is terminated by Board action (for or without cause), than such individual shall only be entitled to continued compensation or benefits, if any, for which he or she may be eligible under the terms of his or her employment agreement.

3. Institutional Presidents: Housing, Automobile, and Expense Reimbursement

a. The institutional Presidents are responsible for hosting official functions to promote their respective institutions. At institutions with official residences, the Presidents of such institutions are required to live in the official residences provided.

To preserve the image of the institutions and to provide adequate maintenance of state-owned property, the institutions shall provide support services for these residences. This support shall include maintenance and repairs, utilities, and grounds keeping.

In the event that the institution does not own an official residence, a housing allowance will be provided that is similar in value to living in an official residence. In addition, this allowance shall cover reasonable maintenance and repair expenses related to the use of this home as the President's official residence.

b. Each institutional President shall be provided an automobile allowance. ~~Maintenance, repairs, gas for business use, and insurance shall be provided for this vehicle.~~

~~If an institutional President does not elect to use a vehicle provided by the institution, the institution will provide the President a vehicle allowance in lieu of the cost of leasing, automobile maintenance, and insurance. Documented business travel will be reimbursed to compensate for gasoline costs.~~
The institution shall pay for maintenance, repair, fuel, and insurance costs attributable to business use of the automobile. If the President intends to use the automobile for business and personal use, the President shall obtain insurance for the automobile which meets with the requirements of Idaho's Risk Management Program, including applicable coverages and amounts.

c. The institutional Presidents shall receive reimbursement for official entertainment expenses. Public relations and other out-of-pocket expenses may be reimbursed if they are directly related to the function of the institution as determined by the President. (See fiscal policy for entertainment and related expenses.)

d. Foundation Provided Funds for Compensation, Perquisites or Benefits

Perquisites or benefits for the institutional Presidents, may be provided by the institution's affiliated foundation meeting all requirements of Section V, Subsection E of the Board's Governing Policies and Procedures if approved by the Board on a case-by-case basis.

4. Institutional Presidents: Official Duties Related Spousal Expenses

The Board acknowledges that the spouse of an institutional president provides valuable service activities on behalf of the institution, the Board, and to the Idaho higher education system. The Board further recognizes that the spouse may be expected to attend certain functions related to the ongoing mission and purposes of the institution. Accordingly, a spouse shall be eligible for reimbursement of authorized official travel and business related expenses, in accordance with the State of Idaho's travel and expense policies, as long as such expenses have a bona fide business purpose. To be a bona fide business purpose the presence and activities of the spouse at the function must be significant and essential (not just beneficial) to the institution. A president's spouse attending official functions as part of protocol or

tradition and where the spouse makes an important contribution to the function can be considered serving a business purpose. For example, ceremonial functions, fundraising events, alumni gatherings, community, and recruiting events are examples of activities at which the presence of a spouse may contribute to the mission of the University. If a spouse has no significant role, or performs only incidental duties of a purely social or clerical nature, then such does not constitute a bona fide business purpose. Spousal expenses may not be charged to state funds; various non-state funds controlled by the institution may be used to fund spousal expenses.

5. President Emeritus/Emerita Designation

   The Board may choose to grant President Emeritus/Emerita status to a retiring President. President Emeritus/Emerita status should be reserved to honor, in retirement, a president who has made distinguished professional contributions to the institution and who has also served a significant portion of his/her career at the institution. The intent of conferring President Emeritus/Emerita status is to bestow an honorary title in recognition of successful tenure in the Presidential role.

   a. Appointment Procedure

      An institution may forward a recommendation to the Board that this honorary title be conferred upon a President that is retiring or has retired from the institution. Each institution shall provide for input into the recommendation from the campus community.

   b. Rights, Privileges and Responsibilities

      Rights and privileges of such a distinction shall be, insofar as resources will allow, similar to those of active institutional staff, including such privileges as:

      i. staff privileges for activities, events and campus facilities;

      ii. receipt of institutional newspaper and other major institutional publications and receipt of employee/spouse fee privilege (see Section V. R.).

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UNIVERSITY OF IDAHO

SUBJECT

Board Policy I.J. Use of Institutional Facilities – First Reading

REFERENCE

February 2011	Board approved first reading of amendments to Board policy I.J. specific to the alcohol possession and consumption section in relation to NCAA events.
April 2011	Board approved second reading of amendments to Board policy I.J. specific to the alcohol possession and consumption section in relation to NCAA events.
December 2013	Board approved first reading of amendments to Board policy I.J. specific to the use of institutions facilities in competition with the private sector.
February 2014	Board approved second reading of amendments to Board Policy regarding the use of facilities in competition with the private sector.
June 2016	Board denied the requests from Boise State University and University of Idaho to expand alcohol service in conjunction with NCAA Football games beyond what is currently allowed in Board Policy I.J.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section I.J – Use of Institutional Facilities and Services With Regard to the Private Sector
Idaho Administrative Code, IDAPA 08.01.08 – 100., Possession, Consumption, and Sale of Alcoholic Beverages at Public Higher Education Institutions.
Idaho Administrative Code, IDAPA 38.04.07 – 305, Food and Beverage

BACKGROUND/DISCUSSION

Idaho Administrative Code, IDAPA 08.01.08.100 prohibits the sale, possession or consumption of alcoholic beverages in college or university owned, leased, or operated facilities and on campus grounds, except as provided in the State Board of Education Governing Policies and Procedures. Board Policy Section I.J. sets the provision by which alcohol may legally be sold or consumed in institution facilities.

Board Policy Section I.J. allows for the chief executive office to approve limit permits under specific conditions, including the requirement that the events be ticketed or by invitation only, food be provided at the event, the event cannot in conjunction with any student athletic event and "…the chief executive officer must ensure that the decisions to allow possession and consumption of alcoholic beverages are consistent with the proper image and the mission of the institution." Alcoholic beverages may also be allowed in conjunction with NCAA pregame

football activities with prior Board approval under very specific conditions, including, but not limited to, there is limited access to the area through controlled access points, attendance is limited to those with a written invitation, and food must be available at the event.

The University of Idaho has brought forward a request to amend Board Policy I.J. to allow for the possession and consumption of alcohol in designated parting lots or limited areas on university grounds during home football games with prior Board approval. These designated "tailgating areas" would have limited access through controlled entry points and only game patrons and their guests "authorized" by the institution would be allowed to park and tailgate in these areas. Location, times and dates would be submitted to the Board for approval and would be limited between 10:00 am and 10:00 pm on the day of the game.

IMPACT

Approval of the proposed amendments would allow for the possession and consumption of alcohol during NCAA football games hosted by the institutions in select parking lots or other areas on campus designated as "tailgating areas."

ATTACHMENTS

Attachment 1 – Board Policy I.J. – First Reading Page 5

STAFF COMMENTS AND RECOMMENDATIONS

The proposed amendments expanding public areas where alcohol is allowed to include designated tailgating areas is outside of the institutions' mission for learning and public service. The draft language of the amendments proposed by the University of Idaho were provided to each of the institution's legal counsel for review. No comments from the other institutions were received at the time of agenda production.

In addition to the amendments proposed by the University of Idaho the attached draft includes an increase in the per instance liability limits from $500,000 to $1,000,000. This amendment would bring the policy in compliance with the minimum liability required by Risk Management for permitted events.

BOARD ACTION

I move to approve the first reading of proposed amendments to Board Policy Section I.J. as submitted in attachment 1.

Moved by _____ Seconded by _____ Carried Yes ____ No ___

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: I. GENERAL GOVERNING POLICIES AND PROCEDURES
SUBSECTION: J. Use of Institutional Facilities and Services with Regard to the Private Sector **February 2014**

1. Use of Institutional Facilities and Services

   a. Consistent with education's primary responsibilities of teaching, research, and public service, the institutions, under the governance of the State Board of Education and Board of Regents of the University of Idaho (Board), have and will continue to provide facilities and services for educational purposes. Such services and facilities, when provided, shall be related to the mission of the institution and not directly competitive with services and facilities reasonably available from the private sector, unless said use is for the benefit of a specific educational program of the institution and the institution has received prior Board approval. In addition, the Board recognizes that the institutions have a role in assisting community and economic development in a manner that supports the activities of the private sector. To this end, cooperation with local, state, and federal agencies is encouraged. A short term rental or lease of facilities for private use is not prohibited.

   b. Priority and guidelines for use of institutional services and facilities is as follows:

      i. Institutionally sponsored programs and projects.

      ii. Community programs or projects of an educational nature where the services or facilities provided by the institutions are directly related to the teaching, research, or service mission of the institution.

      iii. Local, state, or federally sponsored programs and projects.

      iv. The institutions will maintain a list of special events, services and facilities provided in those special events, the sponsor's name, the date of the use, and the approximate number of persons attending. This list will be available for public inspection. Individual institutional policies should be adopted in accordance with this general philosophy and policy statement of the Board. To this end, a coordinated effort between the public and private sector is encouraged.

2. Possession, Consumption, and Sale of Alcohol Beverages at Institutional Facilities

   a. Board Administrative Rules IDAPA 08.01.08 provides requirements relative to alcoholic beverages on campus grounds. Said rules generally prohibit the possession or consumption of alcoholic beverages in areas open to and most commonly used by the general public on campus grounds. The rules authorize the Board to waive the prohibition pursuant to Board policies and procedures. The

chief executive officer of each institution may waive the prohibition against possession or consumption of alcoholic beverages only as permitted by and in compliance with this policy. The grant of any such waiver shall be determined by the chief executive officer ("CEO") only in compliance with this Policy and in accordance with the provisions set forth herein, and not as a matter of right to any other person or party, in doing so, the chief executive officer must ensure that the decisions to allow possession and consumption of alcoholic beverages are consistent with the proper image and the mission of the institution.

b. Each institution shall maintain a policy providing for an institutional Alcohol Beverage Permit process. For purposes of this policy, the term "alcoholic beverage" shall include any beverage containing alcoholic liquor as defined in Idaho Code Section 23-105. Waiver of the prohibition against possession or consumption of alcoholic beverages shall be evidenced by issuance of a written Alcohol Beverage Permit issued by the CEO of the institution which may be issued only in response to a completed written application therefore. Staff of the State Board of Education shall prepare and make available to the institutions the form for an Alcohol Beverage Permit and the form for an Application for Alcohol Beverage Permit which is consistent with this Policy. Immediately upon issuance of an Alcohol Beverage Permit, a complete copy of the application and the permit shall be delivered to the Office of the State Board of Education, and Board staff shall disclose the issuance of the permit to the Board no later than the next Board meeting. An Alcohol Beverage Permit may only be issued to allow the sale or consumption of alcoholic beverages on public use areas of the campus grounds provided that all of the following minimum conditions shall be met. An institution may develop and apply additional, more restrictive, requirements for the issuance of an Alcohol Beverage Permit.

   i. An Alcohol Beverage Permit may be granted only for a specifically designated event (hereinafter "Permitted Event"). Each Permitted Event shall be defined by the activity planned, the area or location in which the activity will take place and the period of time during which the activity will take place. The activity planned for the Permitted Event must be consistent with the proper image and mission of the institution. The area or location in which the activity will take place must be defined with particularity, and must encompass a restricted space or area suitable for properly controlling the possession and consumption of alcoholic beverages. The time period for the activity must be a single contiguous time period for a separate defined occurrence (such as a dinner, a conference, a reception, a concert, a sporting competition and the like). An extended series of events or a continuous activity with no pre-determined conclusion shall not be a Permitted Event. The area or location of the Permitted Event, the restricted space or area therein for possession and consumption of alcoholic beverages and the applicable time periods for the Permitted Event must each be set forth in the Alcohol Beverage Permit and in the application therefore.

ii. The serving of alcoholic beverages must be part of a planned food and beverage program for the Permitted Event, rather than a program serving alcoholic beverages only. Food must be available at the Permitted Event. Consumption of alcoholic beverages and food cannot be the sole purpose of a Permitted Event.

iii. Non-alcoholic beverages must be as readily available as alcoholic beverages at the Permitted Event.

iv. A Permitted Event must be one requiring paid admission through purchase of a ticket or through payment of a registration fee, or one where admission is by written, personal invitation. Events generally open to participation by the public without admission charges or without written personal invitation shall not be eligible for an alcoholic beverage permit. Only persons who have purchased a ticket or paid a registration fee for attendance at a Permitted Event, or who have received a written invitation to a Permitted Event, and who are of lawful age to consume alcoholic beverages, will be authorized to possess and consume alcoholic beverages at the Permitted Event.

v. Permitted Events which are generally open to the public through purchase of a ticket (such as sporting events, concerts or other entertainment events) must set out a confined and defined area where alcoholic beverages may be possessed and consumed. For such events, the defined area where alcoholic beverages may be possessed and consumed shall be clearly marked as such, and shall be separated in a fashion that entry into the area and exit from the area can be controlled to ensure that only those authorized to enter the area do so and that no alcoholic beverages leave the area. Only those individuals lawfully attending the Permitted Event who are of lawful age to consume alcoholic beverages may be allowed into the defined area, provided that such individuals may be accompanied by youth for whom they are responsible, but only if such youth are, at all times, under the supervision and control of such individuals. For such events there shall be sufficient space outside of the area where alcoholic beverages may be possessed and consumed to accommodate the participating public who do not wish to be present where alcoholic beverages are being consumed.

vi. No student athletic events, (including without limitation NCAA, NIT, NAIA and intramural student athletic events) occurring in college or university owned, leased or operated facilities, or anywhere on campus grounds, shall be Permitted Events, nor shall a Permitted Event be allowed in conjunction with any such student athletic event.

vii. An Alcohol Beverage Permit for a Permitted Event to which attendance is limited to individuals who have received a personal written invitation, or to those who have registered to participate in a particular conference (for example, a reception, a dinner, an exclusive conference) may allow alcoholic

beverages to be possessed and consumed throughout the area of the event, provided that the area of the event is fully enclosed, and provided further that the area of the event must be such that entry into the area and exit from the area can be controlled to ensure that only those authorized to enter the area do so and that no alcoholic beverages leave the area. Additionally, the area of the Permitted Event must not be open to access by the general public, or to access by persons other than those properly participating in the Permitted Event.

viii. Application for an Alcohol Beverage Permit must be made by the organizers of the event. Such organizers must comply with all applicable laws of the State of Idaho and the local jurisdiction with respect to all aspects of the event, including the possession sale and consumption of alcoholic beverages.

ix. The Alcohol Beverage Permit, any required local catering permit, and applicable state or local alcoholic beverages permits shall be posted in a conspicuous place at the defined area where alcoholic beverages are authorized to be possessed and consumed.

x. The sale, service and consumption of alcoholic beverages at a Permitted Event shall be confined to the specific event, area or activity identified on the Beverage Permit application. Any alcoholic beverages allowed at a Permitted Event shall be supplied through authorized contractors of the organizers (such as caterers hired by the organizers). In no event shall the institution supply or sell alcoholic beverages directly. In no event shall the general public or any participants in a Permitted Event be allowed to bring alcoholic beverages into a Permitted Event, or leave the defined area where possession and consumption is allowed while in possession of an alcoholic beverage.

xi. The person/group issued the Beverage Permit and the contractors supplying the alcoholic beverages shall assume full responsibility to ensure that no one under the legal drinking age is supplied with any alcoholic beverage or allowed to consume any alcoholic beverage at the Permitted Event. Further, the person/group must provide proof of insurance coverage, including host liquor liability and liquor legal liability, in amounts and coverage limits sufficient to meet the needs of the institution, but in no case less than $1,~~5~~000,000 minimum coverage per occurrence. Such insurance must list the permitted person/group, the contractor, the institution, the State Board of Education and the State of Idaho as additional insured's, and the proof of insurance must be in the form a formal endorsement to the policy evidencing the coverage and the required additional insured's.

xii. The Alcohol Beverage Permit shall set forth the time at which sale, service, possession and consumption of alcoholic beverages will be permitted, which times shall be strictly enforced. Service and sale of alcoholic beverages shall stop at a time in advance of the time of closure of the event sufficient to allow

an orderly and temperate consumption of the balance of the alcoholic beverages then in possession of the participants of the event prior to closure of the event.

xiii. These guidelines shall apply to both institutional and non-institutional groups using institutional facilities.

c. The sale or consumption of alcoholic beverages on campus grounds in conjunction with NCAA football games may be permitted with prior Board approval. Each year an institution that wishes to seek Board approval must present a written proposal to the Board, at the Board's regularly scheduled June Board meeting, for the ensuing football season. The proposal must include detailed descriptions and drawings of the areas where events which will include alcohol service will occur. The Board will review the proposal under the following criteria and, upon such review, may also apply further criteria and restrictions in its discretion. An institution's proposal shall be subject to the following minimum conditions:

i. The area must be for sponsors to entertain clients/guests for home football games. Attendance is limited to adult patrons and guests who have received a personal written invitation and must not be open to access by the general public.

For pre-game events held in institution stadium suite areas, only patrons who hold tickets to seats in the area shall be allowed into the area during games.

ii. The event must be conducted during pre-game only, no more than three-hours in duration, ending at kick-off.

For events held in institution stadium suite areas, the sale of alcohol must begin no sooner than three hours prior to kick off and must end at the start of the 4th quarter to allow for an orderly and temperate consumption of the balance of the alcoholic beverages then in possession of the participants of the game prior to the end of the game.

iii. The event must be conducted in a secured area surrounded by a fence or other methods to control access to and from the area. There must be no more than two entry points manned by security personnel where ID's are checked and special colored wrist bands issued. A color-coded wrist band system must identify attendees and invited guests, as well as those of drinking age. Unless otherwise specifically approved annually by the Board, under such additional terms and conditions as it sees fit, no one under the legal drinking age shall be admitted into the alcohol service and consumption area of an event. The area shall be clearly marked and shall be separated in a fashion that entry into the area and exit from the area can be controlled to ensure that only those authorized to enter the area do so and that no alcoholic beverages leave the area.

For events held in institution stadium suite areas adult patrons may be accompanied by youth for whom they are responsible, but only if such youth are, at all times, under the supervision and control of such adult patrons.

iv. Companies involved in the event must be sent a letter outlining the location and Board alcohol policy. The letter must state the minimum drinking age in Idaho is 21 and that at no time should such companies allow any underage drinking and/or serving of alcohol to visibly intoxicated persons.

v. Alcohol-making or -distributing companies are not allowed to sponsor the event. In no event shall the institution supply or sell alcoholic beverages directly. In no event shall invitees or participants in such event be allowed to bring alcoholic beverages into the area, or leave the defined area where possession and consumption is allowed while in possession of an alcoholic beverage.

vi. The food provider must provide TIPS trained personnel who monitor the sale and consumption of all alcoholic beverages to those of drinking age. Any required local catering permit, and applicable state or local alcoholic beverage permits, shall be posted in a conspicuous place at the defined area where alcoholic beverages are authorized to be possessed and consumed.

vii. Food must be available at the event. Non-alcoholic beverages must be as readily available as alcoholic beverages.

viii. Security personnel located throughout the area must monitor all alcohol wristband policies and patron behavior.

ix. Event sponsors/food providers must be required to insure and indemnify the State of Idaho, the State Board of Education and the institution for a minimum of $2,000,000, and must obtain all proper permits and licenses as required by local and state ordinances. All applicable laws of the State of Idaho and the local jurisdiction with respect to all aspects of the event, including the possession, sale and consumption of alcoholic beverages, must be complied with. Event sponsors/food providers supplying the alcoholic beverages shall assume full responsibility to ensure that no one under the legal drinking age is supplied with any alcoholic beverage or allowed to consume any alcoholic beverage at the event. Further, event sponsors/food providers must provide proof of insurance coverage, including host liquor liability and liquor legal liability, in amounts and coverage and coverage limits sufficient to meet the needs of the institution, but in no case less than $1,~~5~~000,000 minimum coverage per occurrence. Such insurance must list the event sponsor/food provider, the institution, the State Board of Education and the State of Idaho as additional insureds, and the proof of insurance must be in the form of a formal

endorsement to the policy evidencing the coverage and the required additional insureds.

x. A report must be submitted to the Board annually after the conclusion of the football season before consideration is given to the approval of any future requests for similar events on home football game days.

d. In addition to the Institution sponsored game-day events described in c. above, the CEO of each institution may designate (subject to annual board approval) specific parking lots or limited areas of university grounds with controlled access as tailgate areas for home NCAA football games or NCAA bowl games hosted by the institution. Only game patrons authorized by the institution will be allowed to park and tailgate in the designated tailgate areas with their private guests. Locations, times and dates will be submitted to the Board for approval.

Within tailgate areas, authorized game patrons and their private guests may consume alcohol as long as they abide by all local and state regulations governing alcohol usage including, but not limited to, minor in possession or consumption of alcoholic beverages and public intoxication. Alcohol consumption in tailgating areas shall be limited to the times approved by the Board and at no time shall extend beyond 10:00am through 10:00pm of the day of each NCAA football game hosted by the institution. Alcohol beverages must be held in an opaque container that is not labeled or branded by an alcohol manufacturer or distributor. Alcohol may not be taken from the designated tailgate area into any other area.

The institutions shall not sell alcohol or serve alcohol in the tailgate area nor license or allow any vendor to sell or dispense alcohol in the tailgate area. Only private individuals authorized to be in the tailgate area may bring alcohol into the tailgate area for personal use by themselves and by their private tailgate guests. Each institution may place additional restrictions on activities in the tailgate area as seen fit to maintain order in the area.

Institution sponsored private game-day events at which alcohol may be served by the institution remain subject to the requirements set forth in c. above. Institutions will report to the Board regarding the tailgate area at the same time as they report to the Board regarding the private game-day events under Board Policy.

~~d~~e. The sale or consumption of alcoholic beverages on campus grounds in conjunction with NCAA football bowl games shall be permitted only with Board approval under the same conditions i. through x, as described in subsection c. above, except that the minimum amount of insurance/indemnification shall be $5,000,000.

~~e~~f. Within residential facilities owned, leased or operated by an institution, the CEO may allow the possession or consumption of alcoholic beverages by persons of legal drinking age within the living quarters of persons of legal drinking age. Consumption of alcohol shall not be permitted in the general use areas of any such

residence facility. Possession of alcohol within the general use areas of a residential facility may only be done in a facility where consumption has been authorized by the CEO, and such possession shall be only as is incidental to, and reasonably necessary for, transporting the alcohol by the person of legal drinking age to living quarters where consumption is allowed. The term "living quarters" as used herein shall mean, and be limited to, the specific room or rooms of a residential facility which are assigned to students of the institution (either individually or in conjunction with another room mate or roommates) as their individual living space.

3. Alcohol-making or -distributing companies shall not be allowed to advertise goods or services on campus grounds or in any institutional facilities.

SUBJECT

Board Policy - Bylaws – Second Reading

REFERENCE

February 2014	The Board considered, but did not approve amendments to the Board Bylaws.
June 2014	Board approved the first reading of amendments to Board Policy – Bylaws.
October 2014	Board approved a first reading of the Board Bylaws, incorporating language outlining the purpose of the Athletic Committee.
February 2015,	Board approved the second reading of proposed changes to the Board Bylaws, incorporating the Athletic Committee.
June 2016,	Board approved the first reading of the Board Bylaws, amending the program approval sunset clause.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies and Procedures - Bylaws

BACKGROUND/DISCUSSION

At the June 2016 Board meeting staff presented proposed amendments to the Board's Bylaws that would set a time limit of one year on Board approvals that were not acted on. Items that were not acted on within that period of time would need to be brought back to the Board for reconsideration. This process will allow for the Board to consider the action under current circumstances, rather than action being taken based on past circumstances that may no longer be relevant.

IMPACT

The proposed amendments would clarify the time period for which Board approval on a given item is relevant for and when items needed to be brought back to the Board for reconsideration.

ATTACHMENTS

Attachment 1 – Bylaws – Second Reading Page 3

STAFF COMMENTS AND RECOMMENDATIONS

Board policy Section III.G. Program Approval and Discontinuance contains a program approval sunset clause. Any program approved by the Board or the Executive Director must be implemented within five years or be brought back to the Board or Executive Director, as applicable, for re-approval before it can be implemented.

There were no changes between first and second reading, staff recommends approval.

BOARD ACTION

I move to approve the second reading of Board policy - Bylaws as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: I. BYLAWS (Operational Procedures) ~~February 2015~~August 2016

A. Office of the State Board of Education

The Board maintains an Office of the State Board for the purpose of carrying out the administrative, financial, and coordinating functions required for the effective operation of the institutions and agencies under the governance of the Board. The staff of the Office of the State Board is under the direction of an executive director responsible directly to the Board.

B. Meetings

1. The Board will maintain a 12-month rolling meeting schedule. To accomplish this, the Board will, at each of its regularly scheduled meetings, update its 12-month rolling schedule of Board meetings, provided, however, that the Board by majority vote, or the Board president after consultation with Board members, may reschedule or cancel any meeting.

2. The Board may hold special meetings by vote of a majority of the Board taken during any regular meeting or by call of the Board president.

3. All meetings of the Board are held at such place or places as may be determined by the Board.

4. Actions that impact ongoing future behavior of agencies and institutions shall be incorporated into Board policy. Actions limited to a specific request from an institution or agency, if not acted on within one year of approval, must be brought back to the Board for reconsideration prior to action by the institution or agency. This requirement does not apply to program approval time limits.

C. Rules of Order

1. Meetings of the Board are conducted in accordance with controlling statutes and applicable bylaws, regulations, procedures, or policies. In the absence of such statutes, bylaws, regulations, procedures, or policies, meetings are conducted in accordance with the current edition of *Robert's Rules of Order Newly Revised*.

2. A quorum of the Board consists of five (5) Board members.

3. With the exception of procedural motions, all motions, resolutions, or other propositions requiring Board action will, whenever practicable, be reduced to writing before submission to a vote.

4. A roll-call vote of the Board is taken on all propositions involving any matters of bonded indebtedness; convening an executive session of the Board; or on any other action at the request of any Board member or upon the advice of legal counsel. The first voter is rotated on each subsequent roll-call vote.

D. Officers and Representatives

1. The officers of the Board include:
   a. A president, a vice president, and a secretary, who are members of the Board.
   b. An executive secretary, who is the state superintendent of public instruction.

2. The president, vice president, and secretary are elected at the organizational meeting for one (1) year terms and hold office until their successors are elected. Vacancies in these offices are filled by election for the remainder of the unexpired term.

3. Board representatives to serve on other boards, commissions, committees, and similar bodies are appointed by the Board president.

4. The executive director is appointed by and serves at the pleasure of the Board unless the contract of employment specifies otherwise. The executive director serves as the chief executive officer of the Office of the State Board of Education.

E. Duties of Board Officers

1. Board President
   a. Presides at all Board meetings, with full power to discuss and vote on all matters before the Board.
   b. Submits such information and recommendations considered proper concerning the business and interests of the Board.
   c. Signs, in accordance with applicable statutes and Board action, all contracts, minutes, agreements, and other documents approved by the Board, except in those instances wherein the Board, by its procedures, has authorized the Board president to designate or has otherwise designated persons to sign in the name of or on behalf of the Board.
   d. Gives prior approval for any official out-of-state travel of seven (7) days or more by Board members, institution heads, and the executive director.
   e. Subject to action of the Board, gives notice and establishes the dates and locations of all regular Board meetings.
   f. Calls special Board meetings at any time and place designated in such call in accordance with the Open Meeting Law.
   g. Establishes screening and selection committees for all appointments of agency and institutional heads.
   h. Appoints Board members to all standing and interim committees of the Board.
   i. Establishes the Board agenda in consultation with the executive director.
   j. Serves as chief spokesperson for the Board and, with the executive director, carries out its policies between meetings.

2. Vice President
   a. Presides at meetings in the event of absence of the Board president.
   b. Performs the Board president's duties in the event of the Board president's inability to do so.
   c. Becomes the acting Board president in the event of the resignation or permanent inability of the Board president until such time as a new president is elected.

3. Secretary
   a. Presides at meetings in the event of absence of the Board president and vice president.
   b. Signs, in accordance with applicable statutes and Board action, all minutes, contracts, agreements, and other documents approved by the Board except in those instances wherein the Board, by its procedures, has authorized or has otherwise designated persons to sign in the name of or on behalf of the Board secretary.

4. Executive Secretary
   The state superintendent of public instruction, when acting as the executive secretary, is responsible for:

a. Carrying out policies, procedures, and duties prescribed by the Constitution of the State of Idaho and the *Idaho Code* or established by the Board for all elementary and secondary school matters.
   b. Presenting to the Board recommendations concerning elementary and secondary school matters and the matters of the State Department of Education.

5. Executive Director

   The executive director serves as the chief executive officer of the Board, as chief administrative officer of Office of the State Board of Education, and as chief executive officer of such federal or state programs as are directly vested in the State Board of Education. The position description for the executive director, as approved by the Board, defines the scope of duties for which the executive director is responsible and is accountable to the Board.

F. Committees of the Board

The Board may organize itself into standing and other committees as necessary. Committee members are appointed by the Board president after informal consultation with other Board members. Any such standing or other committee may make recommendations to the Board, but may not take any action, except when authority to act has been delegated by the Board. The Board president may serve as an ex-officio

member of any standing or other committee. The procedural guidelines for Board committees appear in the Board Governing Policies and Procedures.
For purposes of the bylaws, the University of Idaho, Boise State University, Idaho State University, Lewis-Clark State College, Eastern Idaho Technical College, the College of Southern Idaho the College of Western Idaho, and North Idaho College are included in references to the "institutions;" and Idaho Educational Public Broadcasting System, the Division of Vocational Rehabilitation, the Division of Professional-Technical Education, and the State Department of Education, are included in references to the "agencies."∗ An institution or agency may, at its option and with concurrence of the Board president, comment on any committee report or recommendation.

1. Planning, Policy and Governmental Affairs Committee

   a. Purpose

      The Planning, Policy and Governmental Affairs Committee is a standing advisory committee of the Board. It is responsible for developing and presenting recommendations to the Board on matters of policy, planning, and governmental affairs. The committee, in conjunction with the chief executive officers and chief administrators of the Board governed agencies and institutions, will develop and recommend to the Board future planning initiatives and goals. This committee shall also advise the Board on collaborative and cooperative measures for all education entities and branches of state government necessary to provide for the general supervision, governance and control of the state educational institutions, agencies and public schools, with the goal of producing a seamless educational system.

   b. Composition

      The Planning, Policy and Governmental Affairs Committee is composed of two (2) or more members of the Board, appointed by the president of the Board, who designates one (1) member to serve as the chairperson and spokesperson of the committee, and is staffed by the Board's Chief Planning and Policy Officer. The Planning, Policy and Governmental Affairs Committee may form a working unit or units, as necessary, to advise the committee. The chairperson presents all committee and working unit recommendations to the Board.

   c. Responsibilities and Procedures

∗ Definition provided for purposes of the Bylaws only. Recognizing the Board governance relationship varies with each of these entities, the intent in including representatives of each of the agencies and institutions as much as possible in the committee structure is to ensure proper and adequate representation, but is not intended to obligate or interfere with any other local boards or governing entities.

The Planning, Policy and Governmental Affairs Committee is responsible for making recommendations to the Board in the following general areas:

i. Long range planning and coordination;
ii. Initial discussions and direction on strategic policy initiatives and goals;
iii. Legislative proposals and administrative rules for Board agencies and institutions;
iv. Coordination and communication with the Governor, the Legislature, and all other governmental entities with regard to items of legislation, Board policy and planning initiatives;
v. Review and revision of Board policies, administrative rules and education-related statutes for consistency and compatibility with the Board's strategic direction;
vi. Reports and recommendations from the Presidents' Council and the Agency Heads' Council;
vii. Other matters as assigned by the Board.

At the direction of the Board President, any matter before the Board may be removed to the Planning, Policy and Governmental Affairs Committee for initial action or consideration.

The Planning, Policy and Governmental Affairs Committee may establish necessary procedures to carry out its responsibilities. Such procedures must be consistent with the Board's Governing Policies and Procedures. The Board's Chief Policy and Government Affairs Officer, under the direction of the chairperson, prepares the agenda for the Planning, Policy and Governmental Affairs Committee work that is under consideration at each meeting of the Board.

2. Instruction, Research and Student Affairs Committee

a. Purpose

The Instruction, Research and Student Affairs Committee is a standing advisory committee of the Board. It is responsible for developing and presenting recommendations to the Board on matters of policy and procedure concerning instruction, research and student affairs.

b. Composition

The Instruction, Research and Student Affairs Committee is composed of two (2) or more members of the Board, appointed by the president of the Board, who designates one (1) member to serve as chairperson and spokesperson of the committee, and is staffed by the Board's Chief Academic Officer. The Instruction, Research and Student Affairs Committee may appoint a working unit or units, as necessary, to advise the committee. One such working unit

shall be the Council on Academic Affairs and Programs (CAAP), which shall be composed of the Board's Chief Academic Officer and the chief academic officers of the institutions and agencies. The chairperson presents all committee and working group recommendations to the Board.

c. Responsibilities and Procedures

The Instruction, Research and Student Affairs Committee is responsible for making recommendations to the Board in the following general areas:

i. Agency and institutional instruction, research and student affairs agenda items;
ii. Instruction, academic or professional-technical program approval;
iii. Instruction, academic or professional-technical program review, consolidation, modification, and discontinuance, and course offerings;
iv. Outreach, technology and distant learning impacting programs and their delivery;
v. Long-range instruction, academic and professional-technical planning;
vi. Registration of out-of-state institutions offering programs or courses in Idaho;
vii. Continuing education, professional development, workforce training, programs for at-risk populations, career guidance;
viii. Student organizations' activities and issues; and
ix. Other matters as assigned by the Board.

The Instruction, Research and Student Affairs Committee may establish necessary procedures to carry out its responsibilities. Such procedures must be consistent with the Board's Governing Policies and Procedures. The Board's chief academic officer, under the direction of the chairperson, prepares the agenda for the Instruction, Research and Student Affairs Committee work that is under consideration at each meeting of the Board.

3. Business Affairs and Human Resources Committee

a. Purpose

The Business Affairs and Human Resources Committee is a standing advisory committee of the Board. It is responsible for developing and presenting recommendations to the Board on matters of policy and procedures concerning business affairs and human resources affairs.

b. Composition

The Business Affairs and Human Resources Committee is composed of two (2) or more members of the Board appointed by the president of the Board, who designates one (1) member to serve as chairperson and spokesperson of the committee, and is staffed by the Board's Chief Fiscal Officer. The Business Affairs and Human Resources Committee may appoint a working unit or units, as necessary, to advise the committee. One such working unit shall be the Financial Vice Presidents council, which shall be composed of the Board's Chief Fiscal Officer and the chief financial officers of the institutions and agencies. The chairperson presents all committee recommendations to the Board.

c. Responsibilities and Procedures

The Business Affairs and Human Resources Committee is responsible, through its various working unit or units, for making recommendations to the Board in the following general areas:

i. Agency and institutional financial agenda items;
ii. Coordination and development of guidelines and information for agency and institutional budget requests and operating budgets;
iii. Long-range fiscal planning;
iv. Fiscal analysis of the following:

1) New and expanded financial programs;
2) Establishment, discontinuance or change in designation of administrative units;
3) Consolidation, relocation, or discontinuance of programs;
4) New facilities and any major modifications to facilities which would result in changes in programs or program capacity;
5) Student fees and tuition; and
6) Other matters as assigned by the Board.

The Business Affairs and Human Resources Committee may establish necessary procedures to carry out its responsibilities. Such procedures must be consistent with the Board's Governing Policies and Procedures. The Board's chief fiscal officer, under the direction of the chairperson, prepares the agenda for the Business Affairs and Human Resources Committee work that is under consideration at each meeting of the Board.

4. Audit Committee

   a. Purpose

      The Audit Committee is a standing committee of the Board. The Audit Committee provides oversight to the organizations under its governance (defined in Idaho State Board of Education, Policies and Procedures, Section I. A.1.) for: financial statement integrity, financial practices, internal control systems, financial management, and standards of conduct.

   b. Composition

      The Audit Committee members shall be appointed by the Board and shall consist of five or more members. Three members of the Committee shall be current Board members and at least two members shall be independent non-Board members who are familiar with the audit process and permanent residents of the state of Idaho. No employee of an institution or agency under the governance of the Board shall serve on the Audit Committee. Each Audit Committee member shall be independent, free from any relationship that would interfere with the exercise of her or his independent judgment. Audit Committee members shall not be compensated for their service on the committee, and shall not have a financial interest in, or any other conflict of interest with, any entity doing business with the Board, or any institution or agency under the governance of the Board. However, Audit Committee members who are Board members may be compensated for Board service. The Audit Committee may appoint a working unit or units, which could include the chief financial officers of the institutions and financial officers of the Board office.

      All members shall have an understanding of the Committee and financial affairs and the ability to exercise independent judgment, and at least one member of the Committee shall have current accounting or related financial management expertise in the following areas:

      i. An understanding of generally accepted accounting principles, experience in preparing, auditing, analyzing, or evaluating complex financial statements, and;
      ii. The ability to assess the general application of such principles in the accounting for estimates, accruals, and reserves, and;
      iii. Experience in preparing or auditing financial statements and;
      iv. An understanding of internal controls.

      Members may be reappointed. The Audit Committee chair shall be appointed by the Board President and shall be a Board member.

   c. Responsibilities and Procedures

It is not the Committee's duty to plan or conduct audits or to determine that the institution's financial statements are complete, accurate and in accordance with generally accepted accounting principles. Management of the applicable institutions and agencies shall be responsible for the preparation, presentation, and integrity of the financial statements and for the appropriateness of the accounting principles and reporting policies used. The following shall be the principle duties and responsibilities of the Committee:

i. Recommend the appointment and compensation to the Board of the independent auditors for Board action. Evaluate and oversee the work of the independent auditors. The Committee must approve any services prior to being provided by the independent auditor. The independent auditing firm shall report directly to the Committee as well as the Board and the auditor's "engagement letter" shall be addressed to the Committee and the President of each institution. The Committee shall have the authority to engage the Board's legal counsel and other consultants necessary to carry out its duties.
ii. Discuss with the independent auditors the audit scope, focusing on areas of concern or interest;
iii. Review the financial statements, adequacy of internal controls and findings with the independent auditor. The independent auditor's "management letter" shall include management responses and be addressed to the Audit Committee and President of the institution.
iv. Ensure the independent auditor presents the financial statements to the Board and provides detail and summary reports as appropriate.
v. Oversee standards of conduct (ethical behavior) and conflict of interest policies of the Board and the institutions and agencies under its governance including establishment of confidential complaint mechanisms.
vi. Monitor the integrity of each organization's financial accounting process and systems of internal controls regarding finance, accounting and stewardship of assets;
vii. Monitor the independence and performance of each organization's independent auditors and internal auditing departments;
viii. Provide general guidance for developing risk assessment models for all institutions.
ix. Provide an avenue of communication among the independent auditors, management, the internal audit staff and the Board.
x. Maintain audit review responsibilities of institutional affiliates to include but not limited to foundations and booster organizations.

The Audit Committee will meet as needed. The Committee may establish necessary procedures to carry out its responsibilities. Such procedures must be consistent with the Board's Governing Policies and Procedures. The Board's

Chief Fiscal Officer, under the direction of the chair, prepares the agenda for work that is under consideration at each meeting of the Board.

5. Athletics Committee

a. Purpose

The Athletics Committee is a standing advisory committee of the Board that reports through the Business Affairs and Human Resources Committee. It is responsible for developing and presenting recommendations to the Board on matters of policy and procedures concerning intercollegiate athletics.

b. Composition

The Athletics Committee is composed of two (2) or more members of the Board appointed by the president of the Board, who designates one (1) member to serve as chairperson and spokesperson of the committee, and is staffed by the Board's Chief Fiscal Officer. The Athletics Committee may appoint a working unit or units, as necessary, to advise the committee. One such working unit shall be composed of the institutions' Athletics Directors.

c. Responsibilities and Procedures

The Athletics Committee is responsible for making recommendations to the Board in areas including but not limited to:

i. athletics director and coach contracts;
ii. Athletics Department operating budgets;
iii. Athletics Department reports on revenue, expenditures and student-athlete participation;
iv. Athletics Department employee compensation reports;
v. institutional National Collegiate Athletics Association (NCAA) Academic Progress Rate (APR) reports;
vi. institutional Title IX gender equity reports;
vii. athletics division or conference changes; and
viii. institutional athletics sponsorship and media rights agreements;

The Athletics Committee may establish necessary procedures to carry out its responsibilities. Such procedures must be consistent with the Board's Governing Policies and Procedures. The Board's chief fiscal officer, under the direction of the chairperson, prepares the Athletics Committee work for the Business Affairs and Human Resources Committee agenda that is under consideration at each meeting of the Board.

G. Committee Presentations

1. The agenda for each regular meeting of the Board shall be organized using the areas of responsibility provided for in regard to each permanent standing committee of the Board, as described in Subsection H above, with the exception of the Audit and Athletic Committee.

2. The Board member who is the chair of the permanent standing advisory committee and spokesperson shall present the agenda items in the area of the committee's responsibility. This presentation may include calling on institutional/agency representatives and/or other individuals. In the event of an absence or conflict with respect to the committee chairperson, the Board President may designate a substitute Board member or Board officer to present the agenda items.

H. Presidents' Council

1. Purpose

   The Presidents' Council convenes prior to each Board meeting to discuss and make recommendations, as necessary, on Board agenda items scheduled for Board consideration. The Presidents' Council may also choose or be directed by the Board to meet with the Agency Heads' Council for exchanges of information or to discuss projects of benefit to the entire system. The Presidents' Council reports to the Board through the Planning, Policy and Governmental Affairs Committee of the Board.

2. Composition

   The Presidents' Council is composed of the presidents of the University of Idaho, Idaho State University, Boise State University, Lewis-Clark State College, Eastern Idaho Technical College; and the presidents of North Idaho College, the College of Western Idaho and the College of Southern Idaho, each of whom has one (1) vote. One (1) of the voting members shall serve as chair of the Council, with a new chair selected each academic year such that the chair will rotate among the respective members, such that no two community college presidents' will hold a term in consecutive years. The administrator of the Division of Professional-Technical Education and the Board's Executive Director shall be ex-officio members of the Council.

3. Duties of the Chair

   The Chair:

   a. Presides at all Presidents' Council meetings with full power to discuss and vote on all matters before the Council;
   b. Establishes the Presidents' Council agenda in consultation with the Executive Director; and
   c. Maintains open communications with the Board on agenda matters through the Planning, Policy and Governmental Affairs Committee.

4. The Executive Director will communicate openly and in a timely manner with the Presidents' Council.

I. Agency Heads' Council

1. Purpose

   The Agency Heads' Council convenes as necessary to discuss and make recommendations on agenda items scheduled for Board consideration as well as other issues pertinent to the agencies. The Agency Heads' Council may also choose or be directed by the Board to meet with the Presidents' Council for exchanges of information or to discuss projects of benefit to the entire system. The Agency Heads' Council reports to the Board through the Planning, Policy and Governmental Affairs Committee of the Board.

2. Composition

   The Agency Heads' Council is composed of the chief administrators of Idaho Educational Public Broadcasting System, the Division of Vocational Rehabilitation, and the Division of Professional-Technical Education; and representatives from the State Department of Education. The Board's Executive Director shall serve as chair of the Council.

3. Duties of the Chair

   a. Presides at all Agency Heads' Council meetings;
   b. Establishes the Council's agenda in consultation with the Council's members; and
   c. Maintains open communications with the Board on agenda matters through the Planning, Policy and Governmental Affairs Committee.

SUBJECT

Idaho Indian Education Committee Bylaws

REFERENCE

December 6-7, 2007	The Board was provided an update on the Native American Higher Education Committee's progress.
June 20, 2008	The Board approved the Committee moving forward with scheduling future meetings with each of the Tribes and charged the Committee with reviewing how Board policy can meet the underserved need in the communities through advanced opportunities.
February 21, 2013	The Board approved the first reading of Board Policy I.P.
April 18, 2013	The Board approved the second reading of Board Policy I.P.
April 14, 2016	The Board approved the first reading of Board Policy I.P.
June 16, 2016	The Board approved the second reading of Board Policy I.P.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section I.P. Idaho Indian Education Committee

BACKGROUND/DISCUSSION

The Idaho Indian Education Committee serves as an advisory committee to the State Board of Education (Board) and the State Department of Education (Department) on educational issues and how they impact opportunity, success, and access for Idaho's American Indian student population. The committee also serves as a vital communication connection for Idaho's American Indian tribes, the Board, and the Department.

Board Policy I.P outlines the role and purpose of the committee, committee structure, and terms of membership. The original Board policy contain some provisions that would normally be contained in a groups by laws. At the June 2016 Board meeting the Board approved removing these provisions from the policy and placing them in committee bylaws. The proposed bylaws incorporate these provisions as well as additional provisions to provide further guidance on operating procedures of the committee and responsibilities of staff support from both the Office of the State Board of Education and the Department.

IMPACT

Approval of the bylaws will provide the needed guidance to the Committee for its structure and operation of committee meetings.

ATTACHMENTS

Attachment 1 – Indian Education Committee Bylaws Page 3

STAFF COMMENTS AND RECOMMENDATIONS

At the March 4, 2016 Indian Education Committee meeting, the committee reviewed the bylaws and recommended approval with a few minor edits. The proposed bylaws are in compliance with Board policy I.P.

Board staff recommends approval.

BOARD ACTION

I move to approve the Indian Education Committee bylaws as submitted in attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

A. Meetings

1. The Committee holds at least four (4) regular meetings annually. A quorum of the Committee consists of eight (8) voting members with the option to poll absent members to reach 8 for a response within three (3) days. A quorum shall be present to conduct any official business.

2. Meeting locations shall be determined by the Committee.

B. Membership

Committee members must uphold the goals and objectives of the Committee and give adequate time and energy to the duties of membership. Decision making is a collective action and all members have a joint responsibility for decisions and actions.

C. Nominating Process

A letter of recommendation for representation of the appropriate entity shall be submitted to the Board of Education (Board) office and receive Board approval before an appointee may act in an official capacity of the Committee.

D. Voting privileges

A Committee member unable to attend a meeting either in person or by telephone conference may send a proxy in his or her place. The proxy will have full voting privileges upon receipt from the absent member of a written statement or a tribal resolution to the chair and staff. Notification must include name and position of proxy and a statement authorizing the proxy to act in the official capacity, including full voting rights, for the determined time period of the meeting, and the proxy has support for voting on behalf of the committee member. The proxy may not vote without this notification.

E. Duties of the Officers

1. The Chair

   a. Presides at Committee meetings, with full power to discuss and vote on all matters before the Committee.
   b. Submits such information and recommendations considered proper concerning the business and interests of the Committee.
   c. Subject to action of the Committee, gives notice and establishes the dates and locations of all regular Committee meetings.
   d. Calls special meetings of the Committee.

e. Appoints Committee members to all standing and interim working groups of the Committee.
f. Establishes the agenda in consultation with the staff support.
g. Provides communication to the public as chief spokesperson for the Committee in coordination with the Board and State Department of Education (Department) Communications officers.

2. The Vice Chair

a. Presides at meetings in the event of absence of the Council chair.
b. Performs the Council chair's duties in the event of the Council chair's inability to do so.
c. Becomes the acting Council chair in the event of the resignation or permanent inability of the Council chair until such time as a new chair is elected.

F. Duties of Staff Support

The staff will work to maintain effective communication among the Committee members, Department, Board office, Board, and key stakeholders. Staff will uphold appropriate organizational structure to carry out the work of the Committee. Staff will provide structure for the meetings, review the progress of the Committee's work, and identify areas of strengths and weaknesses.

1. Board Staff
Provide support to the Chair to carry out the purpose of the Committee. Report on relevant activities of the Board office and the Board. Provide the Board office and the Board of an overview of the Committee's work. Collaborate with the Department staff on communication, meeting details, and other items as necessary to the purpose and duties of the Committee.

2. Department Staff
Provide support to the Chair to carry out the purpose of the Committee. Report on relevant activities of the Department and appropriate key stakeholders. Provide the Superintendent of Public Instruction an overview of the Committee's work. Collaborate with the Program Manager on communication, meeting details, and other items as necessary to the purpose and duties of the Committee.

G. Administration of Committee Work

1. Special Committee assignments shall be designated at the discretion of the Board.

2. Coordination and collaboration of policies and procedures are conducted to maintain the integrity of the Board and the Department.

3. Dissemination of official committee information will go through the Board office and Department.

H. Adoption, Amendment, and Repeal of Bylaws

1. Bylaws and amendments must be approved by the Board before they are officially instituted by the Committee.

2. Recommendations for amendments or repeals of bylaws may be approved at any regular or special meeting of the Committee by a majority vote of the Committee, provided notice has been presented at the preceding meeting of the Committee.

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SUBJECT

Idaho Educator Pipeline Report

REFERENCE

August 2015	The Board approved a proposed rule reorganizing IDAPA 08.02.02 and discussed the miss-alignment of current certification practices with Idaho Administrative Code.
December 2015	The Board reviewed an initial Teacher Pipeline Report and requested additional data.

APPLICABLE STATUTE, RULE, OR POLICY

Sections 33-1201 -1207, Idaho Code
Idaho Administrative Code, IDAPA 08.02.02, Rules Governing Uniformity

BACKGROUND/DISCUSSION

In late 2014, as part of the of the Career Ladder subcommittee work on tiered certification, it was discovered that there were a number of current practices regarding teacher certification that were not in alignment with Idaho statute or Idaho Administrative Code. Idaho Code authorizes the State Board of Education (Board) to set the requirements for teacher certification, within specified minimum requirements. The more specific requirements are set by the Board are outlined in Administrative Code. In 2015 Board staff, working with State Department of Education staff, started looking at the practices that had developed over time and the current certification requirements to identify which areas of the administrative rules should be changed and which practices needed to be changed to be compliant with Administrative Code. At the same time Board staff started working on a comprehensive report that would help to quantify the teacher shortage in Idaho and identify areas of weakness within Idaho's teacher preparation pipeline.

The Board was presented with a first look at the data during the December 2015 Board meeting and at that time indicated additional data they would like to see in the final report. The attached report provides updated information for all previous data points and includes additional details regarding administrators, career technical teachers, and teacher candidate demographics.

IMPACT

The attached report will help to inform the Board of the health of Idaho's educator pipeline and start the discussion regarding next steps to address these issues.

ATTACHMENTS

Attachment 1 – Idaho Educator Pipeline Report, July 2016 Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The Teacher Pipeline Report provides available data on Idaho's educator pipeline. Staff recommends the Board use the information included in the report to inform

decisions regarding making changes to sections of Administrative Code related to certification (provided as a separate agenda item) and for long-term discussions about policies intended to prevent and address shortages in rural areas and specific content areas. It is clear from the data provided and working with various stakeholder groups that that there is no simple answer to addressing the availability of highly effective teachers across the state. It is clear from all stakeholder groups that there is a desire to maintain a high standard for our professional educators and that changes to the current educator certification requirements will not address the issues faced within Idaho or across the nation.

BOARD ACTION

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

Idaho Educator Pipeline Report (Revised July 2016)

Introduction

In December 2015, the Idaho State Board of Education was provided an initial Teacher Pipeline Report. Based on questions raised by members of the State Board of Education and research conducted by staff, this report is presented as a follow-up and expansion of that initial report. This report provides updated information for all previous data points and includes additional details regarding administrators, career technical teachers and administrators, and teacher candidate demographics.

Idaho Preparation Program Enrollment

On an annual basis, Idaho's approved educator preparation programs report their enrollment data to the state and federal government as part of Idaho's Title II report. Tables 1 and 2 outline the number of students enrolled in Idaho's educator preparation programs from 2008 to 2015. The data in Table 2 indicates the levels of enrollment at Idaho's public, private, and alternate programs. Tables 3, 4, and 5 provide demographic data (gender and ethnicity) of students enrolled in Idaho's educator preparation programs. The data provided is the most currently available data. The data used in Table 7 was last reported for the 2013-2014 school year.

Table 1: Total Preparation Program Enrollment (Statewide)[1]						
2008-09	**2009-10**	**2010-11**	**2011-12**	**2012-13**	**2013-14**	**2014-15***
8393	8323	8161	6909	5833	5397	3065

Table 2: Preparation Program Enrollment, by Program Type[1]							
Type	**2008-09**	**2009-10**	**2010-11**	**2011-12**	**2012-13**	**2013-14**	**2014-15***
Public	4230	4048	3805	2403	1756	1616	884
Private**	3569	3938	4030	4352	3782	3408	1692
Alternate	594	330	326	154	284	373	489

Enrollment by program type (public, private, alternate) only includes programs that have data for all available years and is not intended to be summed up across programs. The statewide totals for all programs in a given year is represented in Table 1: Total Enrollment

* Effective with the 2014-2015 report, staff at the Office of the State Board of Education worked with the institutions to agree on a clear and common definition for "enrolled" for Title II reporting. From 2014-2015 on, a student will be considered enrolled if he/she has completed a program admissions process with the institution OR if he/she has completed at least 60 credits and has declared education as a major. Because institutions were previously defining "enrolled" in various ways, the adjusted definition has resulted in reduced, but more accurate, program enrollment numbers.

** Prior to 2014-2015, the research/data management staff at one institution internally defined "enrolled" as any student who had declared education as a major, regardless of whether the student enrolled in any education coursework. The institution provided more accurate data for 2014-2015 and will work with the Office of the State Board of Education to correct previous years' data. As a result there is a large discrepancy in the prior year's data.

[1] Title II Reports, Idaho, 2015, 2014, 2013, 2012, 2011, 2010 (enrollment and completers data provided by the educator preparation programs; certification data provided by the Idaho State Department of Education)

Table 3: Preparation Program Enrollment, by Gender[1]

	2012-2013				2013-2014				2014-2015			
Public	**BSU**	**ISU**	**LCSC**	**UI**	**BSU**	**ISU**	**LCSC**	**UI**	**BSU**	**ISU**	**LCSC**	**UI**
Male	27%	21%	17%	31%	28%	21%	20%	24%	26%	22%	20%	25%
Female	73%	79%	83%	69%	72%	79%	80%	76%	74%	78%	80%	75%
Private	**BYU-I**	**CI**	**NNU**	**GFC**	**BYU-I**	**CI**	**NNU**	**GFC**	**BYU-I**	**CI**	**NNU**	**GFC**
Male	17%	21%	19%	27%	17%	25%	31%	N/A	18%	25%	29%	N/A
Female	83%	79%	81%	73%	83%	75%	69%	N/A	82%	75%	71%	N/A
All Programs	**2012-2013**				**2013-2014**				**2014-2015**			
Male	20.2%				20.7%				21.4%			
Female	79.8%				79.3%				78.6%			

Notes for Tables 3, 4, and 5:

- Percentages represent the proportion of students who reported that gender or race/ethnicity out of the total students who reported any gender or race/ethnicity. The denominator does not include enrolled students who did not report.
- Alternate programs are not required to report this information for Title II Reporting. Table 4 and 5 includes Teach for America-Idaho data (reflecting 14 enrolled candidates) for the 2014-2015 academic year in the All Programs totals, but do not include ABCTE data, as ABCTE did not report this data.
- N/A = Not applicable; this institution did not have an active educator preparation program in that year

Table 4: Preparation Program Enrollment, by Race/Ethnicity, All Programs[1]

All Programs	2012-2013	2013-2014	2014-2015
Hispanic / Latino (of any race)	5.9%	4.9%	5.3%
American Indian or Alaskan Native	0.8%	0.5%	0.4%
Asian	1.6%	1.1%	1.1%
Black or African American	0.6%	0.4%	0.2%
Native Hawaiian or Pacific Islander	0.6%	0.5%	0.5%
White	89.2%	86.6%	87.3%
2 or more races	1.4%	6.0%	5.1%

Table 5: Preparation Program Enrollment, by Race/Ethnicity, by Program[1]

	2012-2013				2013-2014				2014-2015			
Public	**BSU**	**ISU**	**LCSC**	**UI**	**BSU**	**ISU**	**LCSC**	**UI**	**BSU**	**ISU**	**LCSC**	**UI**
Latino (of any race)	9.1%	4.4%	4.3%	4.6%	9.7%	4.3%	2.1%	4.9%	6.1%	5.4%	3.4%	4.1%
American Indian / Alaskan Native	0.2%	0.4%	2.6%	0.5%	0.5%	0.4%	1.4%	0%	1.4%	0%	0%	0%
Asian	1.5%	0.8%	3.5%	1.0%	1.3%	0.4%	1.4%	0.3%	2.4%	0.8%	0.8%	0%
Black / African American	0.8%	0.8%	0%	0%	0.4%	0.4%	0%	0%	0.3%	0%	0.8%	0%
Native Hawaiian / Pacific Islander	0.3%	0%	0%	0.3%	0.4%	0%	0.7%	0%	0.7%	0%	0%	0%
White	85%	92%	90%	92%	80%	91%	94%	92%	86%	89%	95%	91%
2 or more races	3.5%	1.6%	0%	2.0%	7.7%	3.4%	0%	3.1%	3.4%	4.7%	0%	4.6%

Table 5 (continued)**: Preparation Program Enrollment, by Race/Ethnicity, by Program**[1]

	2012-2013				2013-2014				2014-2015			
Private	**BYU-I**	**CI**	**NNU**	**GFC**	**BYU-I**	**CI**	**NNU**	**GFC**	**BYU-I**	**CI**	**NNU**	**GFC**
Latino (of any race)	5.2%	18%	5.5%	0%	3.1%	19%	8.1%	N/A	3.5%	10%	13%	N/A
American Indian / Alaskan Native	1.0%	0%	0%	0%	0.4%	1.9%	0.7%	N/A	0.4%	0%	0%	N/A
Asian	1.6%	2.0%	1.1%	0%	1.2%	1.9%	0.7%	N/A	1.3%	0%	0.4%	N/A
Black / African American	0.6%	0%	0%	0%	0.4%	1.9%	0%	N/A	0.2%	0%	0.4%	N/A
Native Hawaiian / Pacific Islander	0.7%	0%	0.6%	0%	0.3%	0%	3.5%	N/A	.07%	0%	3.1%	N/A
White	90%	80%	90%	100%	88%	72%	83%	N/A	88%	88%	78%	N/A
2 or more races	0.8%	0%	2.7%	0%	6.5%	3.8%	3.9%	N/A	6.4%	2.1%	4.6%	N/A

Reasons for Enrollment Decreases

Staff of the Office of the State Board of Education requested feedback from the Idaho Association of Colleges of Teacher Education (IACTE), whose members include the Deans and Chairs of Idaho's Colleges and Departments of Education, regarding the reasons they believe enrollment in their programs is currently decreasing. IACTE members listed the following reasons, this information in anecdotal:

- Lack of financial return on investment and clear upward career and salary pathways within teaching
  - Students often have to take out student loans in order to complete their degrees, but educator salaries are inadequate
  - Competing service sector programs that have higher salaries (examples: nursing, social work, etc.)
- Due to the current teaching environment, teachers speak negatively about the profession and even discourage students from pursuing teaching
  - Media (nationally and locally) language towards teachers is perceived as negative and patronizing
  - School climate – teachers feel like they are constantly dealing with the impact of frequent policy changes and they do not express job satisfaction
  - Teacher preparation program requirements and length of time to finish
    - Desire for shorter pathways (such as alternate routes)

Candidate Quality

Given the preponderance of research demonstrating the impact that effective teachers have on their students, when considering the educator pipeline, it is important to consider not only whether we are attracting an adequate number of teachers, but whether we are attracting quality candidates into the profession. One of the challenges in attempting to answer this question is the difficulty in identifying and measuring the characteristics that increase an individual's likelihood of being an effective teacher. While Idaho has limited data to address this question, the following indicators may be a valuable beginning point for this discussion.

Table 6 (below) outlines the GPA required for admissions into Idaho's undergraduate educator preparation programs (as applicable), the median GPA of those accepted into programs, and the median GPA of those who complete the programs.

Table 6: Preparation Program GPA Requirements and Median GPAs[1]												
	2012-2013				2013-2014				2014-2015			
Public	**BSU**	**ISU**	**LCSC**	**UI**	**BSU**	**ISU**	**LCSC**	**UI**	**BSU**	**ISU**	**LCSC**	**UI**
GPA required for admission	3.00	2.75	2.75	2.75	3.00	2.75	2.75	2.75	3.00	2.75	3.00	2.75
Median GPA of accepted	3.35	3.32	3.44	3.53	3.40	3.38	3.38	3.33	3.41	3.48	3.38	3.33
Median GPA of completers	3.34	3.48	3.62	3.40	3.42	3.53	3.71	3.45	3.49	3.54	3.65	3.60
Private	**BYU-I**	**CI**	**NNU**	**GFC**	**BYU-I**	**CI**	**NNU**	**GFC**	**BYU-I**	**CI**	**NNU**	**GFC**
GPA required for admission	None	NR	2.75	NR	None	NR	2.75	N/A	None	NR	2.75	N/A
Median GPA of accepted	3.10	NR	3.60	NR	3.32	NR	3.33	N/A	3.32	NR	3.31	N/A
Median GPA of completers	3.24	NR	3.60	NR	3.57	NR	3.62	N/A	3.57	NR	3.63	N/A

Private and alternate programs are not requested but not required to provide admissions and GPA data for Title II reporting. The alternate programs are not included in Table 6 because neither ABCTE nor TFA-Idaho has reported the data at this time.

- NR = Not reported
- N/A = Not applicable; this institution did not have an active educator preparation program in that year

Preparation Program Completers

Through Title II reporting, educator preparation programs provide data regarding the number of students who complete their programs. Table 7 outlines the number of program completers at Idaho's public, private, and alternate programs from 2008 to 2015. Table 8 demonstrates the certificates that completers have been prepared for, while Table 9 clarifies the number of teachers prepared to teach by subject area.

Table 7: Preparation of Program Completers, by Program Type[1]							
Type	**2008-09**	**2009-10**	**2010-11**	**2011-12**	**2012-13**	**2013-14**	**2014-15**
Public	562	589	549	657	643	517	426
Private	540	532	517	519	539	477	386
Alternate	229	302	131	37	158	199	277
Totals (Statewide)	**1331**	**1423**	**1197**	**1213**	**1340**	**1193**	**1089**

Table 8: Teachers Prepared, by Certificate Type[1]			
Program and Certificate Type	**2011-12**	**2012-13**	**2013-14**
Public			
Elementary	75	98	156
Secondary	248	91	161
Exceptional Child	19	22	30
Early Childhood / ECSE Blended	15	10	14
Occupational Specialist (Limited or Advanced)	8	4	11
Interim (Alternate Authorizations)	0	0	15

Private			
Elementary	20	57	92
Secondary	113	45	69
Exceptional Child	0	4	0
Early Childhood / ECSE Blended	6	9	16
Occupational Specialist (Limited or Advanced)	3	1	1
Interim (Alternate Authorizations)	0	0	6
Alternate			
Elementary	30	4	24
Secondary	23	9	19
Exceptional Child	18	3	11
Early Childhood / ECSE Blended	0	2	0
Occupational Specialist (Limited or Advanced)	0	0	0
Interim (Alternate Authorizations)	0	1	3
Totals - All Programs			
Elementary	125	159	272
Secondary	384	145	249
Exceptional Child	37	29	41
Early Childhood / ECSE Blended	21	21	30
Occupational Specialist (Limited or Advanced)	11	5	12
Interim (Alternate Authorizations)	0	1	24

Table 9: Teachers Prepared, by Subject Area[1]

Program Type and Subject Area	2011-12	2012-13	2013-14	2014-15
Public				
Early Childhood	28	29	17	22
Elementary Education	300	239	189	183
Secondary Education	156	100	95	87
English, Language Arts, or Reading	100	67	101	85
Math	35	22	42	29
Science, Engineering, Technology	41	25	28	22
Special Education	47	37	32	43
Languages, Bilingual, or ESL	60	37	36	19
All Others	299	185	163	158
Private				
Early Childhood	62	53	56	45
Elementary Education	227	240	211	164
Secondary Education	270	293	239	165
English, Language Arts, or Reading	52	66	59	44
Math	37	35	34	25
Science, Engineering, Technology	36	24	14	21
Special Education	47	56	56	46
Languages, Bilingual, or ESL	42	53	34	26
All Others	210	180	144	86
Alternate				
Early Childhood	0	0	0	0
Elementary Education	15	74	101	105
Secondary Education	0	0	5	4

English, Language Arts, or Reading	4	17	23	35
Math	5	14	22	23
Science, Engineering, Technology	5	18	31	38
Special Education	2	39	44	52
Languages, Bilingual, or ESL	2	2	0	2
Other	7	13	12	38
Totals - All Programs				
Early Childhood	90	82	73	67
Elementary Education	542	553	501	452
Secondary Education	426	393	339	256
English, Language Arts, or Reading	156	150	183	164
Math	77	71	98	77
Science, Engineering, Technology	82	67	73	81
Special Education	96	132	132	141
Languages, Bilingual, or ESL	104	92	70	47
All Others	516	378	319	282

Certificated Educators

This section provides information regarding the numbers of educators issued certificates in Idaho. Table 10 outlines the numbers of individual teachers who received their initial Idaho certificate from 2009 to 2016 and indicates whether they were prepared through an in-state or out-of-state program. Table 11 provides data regarding the numbers of individuals issued new certificates in a given year, by certificate type. Table 12 indicates the number of Career Technical Education (CTE) certificates issued by CTE program area. Table 13 outlines new administrator certificates, while Table 14 clarifies all CTE Administrator certificates (new and renewal) issued in recent years.

Table 10: Teachers Certificated, by Program Location[2]

Program Location	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16 YTD
In-State Preparation	3725	2843	3271	4603	3249	3584	1171
Out-of-State Preparation	897	891	1000	1910	1681	1792	443

Table 11: Teachers Certificated, by Certificate Type[3]

Program and Certificate Type	2011-12	2012-13	2013-14	2014-15	2015-16 YTD
Public					
Elementary	939	1126	889	448	37
Secondary	781	860	670	374	35
Exceptional Child	191	201	161	85	12
Early Childhood / ECSE Blended	26	29	26	16	0
Limited Occupational Specialist	2	8	19	23	7
Standard Occupational Specialist	13	18	4	6	0
Advanced Occupational Specialist	19	26	2	4	0
Alternate: Content Specialist & Teacher to New	13	38	28	45	74

[2] Idaho State Department of Education, "IEA Public Records Request 2009-2015"
[3] Idaho State Department of Education, data, as provided for this report

Table 11(continued)**: Teachers Certificated, by Certificate Type**[4]

Program and Certificate Type	2011-12	2012-13	2013-14	2014-15	2015-16 YTD
Private					
Elementary	61	209	179	94	20
Secondary	27	180	112	80	12
Exceptional Child	27	30	7	5	0
Early Childhood / ECSE Blended	12	15	15	13	7
Limited Occupational Specialist	0	1	2	3	5
Standard Occupational Specialist	0	3	1	0	0
Advanced Occupational Specialist	2	0	0	0	0
Alternate: Content Specialist & Teacher to New	0	9	7	10	36
Alternate					
Elementary	4	10	27	32	16
Secondary	1	13	25	34	4
Exceptional Child	2	8	12	11	6
Early Childhood / ECSE Blended	0	0	0	0	0
Limited Occupational Specialist	0	0	0	0	0
Standard Occupational Specialist	0	0	0	0	0
Advanced Occupational Specialist	0	0	0	0	0
Alternate: Content Specialist & Teacher to New	0	0	0	0	0
Totals - All Programs					
Elementary	1004	1345	1095	574	73
Secondary	809	1053	807	488	51
Exceptional Child	220	239	180	101	18
Early Childhood / ECSE Blended	38	44	41	29	7
Limited Occupational Specialist	2	9	21	26	12
Standard Occupational Specialist	13	21	5	6	0
Advanced Occupational Specialist	21	26	2	4	0
Alternate: Content Specialist & Teacher to New	13	47	35	55	110

Table 12: K-12 CTE Teachers, by Program Area[5]

Certificate Type	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Agriculture & Natural Sciences	17	10	14	30	26	20
Business Administration	18	5	1	5	3	3
Business Education	52	40	45	70	54	41
Business Technology	23	12	13	31	18	24
Family & Consumer Sciences	21	10	13	25	26	13
Health Professions	32	25	31	72	44	47
Marketing Education	38	30	25	47	38	32
Marketing Technology	23	12	13	30	18	24
Occupational Family & Consumer Sciences	14	9	13	24	24	13
Engineering & Technology Education	49	32	45	61	51	42
Skilled & Technical Trades	87	82	111	133	121	97

[4] Idaho State Department of Education, data, as provided for this report
[5] Division of Career Technical Education, data, as provided for this report

Table 13: New Administrator Certificates Issued, by Type[3]								
	2011-12		2012-13		2013-14		2014-15	
Certificate Type	Active	Not Active	Active	Not Active	Active	Not Active	Active	Not Active
Administrator	353	174	385	152	309	100	147	48
Career Technical Administrator	3	5	1	3	0	0	1	0

Table 14: All CTE Administrators Issued (New and Renewal)[4]						
Certificate Type	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Career Technical Administrator	3	0	3	4	2	1

Alternate and Provisional Authorizations

Idaho Administrative Code outlines several alternative routes to certification in addition to the approved non-traditional routes to certification (ABCTE and TFA). Alternate routes to certification are available through all approved programs, traditional and non-traditional, and are most commonly used by individuals who have worked in a field other than teaching and with to become a teacher. All educators pursuing these routes are issued Interim certificates. Tables 15, 16, and 17 provide details about the alternate authorizations issued by the Department of Education.

The Idaho Professional Standards Commission Annual Reports indicate that there were 154 Provisional Authorizations with a total of 163 endorsements/assignments issued during the 2013-2014 school year and a 149 Provisional Authorizations with 159 endorsements/assignments issued during the 2014-2015 school year. Table 15 provides details about the provisional authorizations issued to teachers and administrators.

In 2015, staff of the Office of the State Board of Education and the State Department of Education clarified that only the State Board of Education could issue provisional certificates. As a result, effective 2015-2016, the State Department of Education is not issuing provisional certificates. Thus, we anticipate that the number of provisional certificates issued will substantially decrease while Content Specialist Interim Certificates are likely to increase. The State Board of Education is authorized, in emergency situations, to grant a one year provisional certificate to an individual who does not meet any to the statutory or administrative code requirements.

Table 15: Provisional Authorizations by Endorsement / Subject Area[6]			
Category	Subject Area	2013-14	2014-15
Administrators			
	Superintendent	2	1
	School Principal	1	2
	Special Education Director	0	1
Teachers			
	Early Childhood	3	1
	Elementary Education	0	25
	Special Education	27	22

[6] Professional Standards Commission, Annual Reports, 2013-2014, 2014-2015

	Languages, Bilingual, or ESL	7	9
	Secondary Education		
	English, Language Arts, or Reading	9	12
	Math	18	20
	Science, Engineering, Technology	13	24
	All Other Secondary Endorsements / Subjects	36	32
Other			
	All Other Endorsements / Subjects	25	7

During the 2013-2014 school year, 39 Content Specialist alternate authorizations with 42 total endorsements/assignments were issued. In 2014-2015, 56 Content Specialist authorizations with 64 total endorsements/assignments were issued. Table 16 (below) details the Content Specialist alternate authorizations.

Table 16: Alternate Authorizations – Content Specialist by Endorsement / Subject Area[5]

Category	Subject Area	2013-14	2014-15
Administrators			
	Superintendent	0	0
	School Principal	0	0
	Special Education Director	0	0
Teachers			
	Early Childhood	0	0
	Elementary Education	6	16
	Special Education	8	9
	Languages, Bilingual, or ESL	1	8
	Secondary Education		
	English, Language Arts, or Reading	2	0
	Math	5	3
	Science, Engineering, Technology	4	7
	All Other Secondary Endorsements / Subjects	9	13
Other			
	All Other Endorsements / Subjects	7	6

During the 2013-2014 school year, 235 Teacher to New alternate authorizations with 242 total endorsements/assignments were issued. In 2014-2015, 230 Teacher to New authorizations with 244 total endorsements/assignments were issued.

Table 17: Alternate Authorizations – Teacher to New Certificate by Endorsement / Subject Area[5]

Category	Subject Area	2013-14	2014-15
Administrators			
	Superintendent	12	7
	School Principal	9	8
	Special Education Director	3	6
Teachers			
	Early Childhood	12	10

Table 17 (continued)**: Alternate Authorizations – Teacher to New Certificate by Endorsement / Subject Area**[5]

Category	Subject Area	2013-14	2014-15
Teachers continued…			
	Elementary Education		
	All Subjects	10	7
	6-9 Endorsements	7	6
	Special Education	37	51
	Languages, Bilingual, or ESL	17	16
	Secondary Education		
	English, Language Arts, or Reading	4	8
	Math	24	26
	Science, Engineering, Technology	22	25
	All Other Secondary Endorsements / Subjects	50	38
Other			
	All Other Endorsements / Subjects	35	36

Teacher Certificates and Assignments

To better understand the landscape of Idaho's educator workforce, we examined the assignments (or roles) of those who hold active certificates in Idaho. Table 18 provides an overview of the number of individuals holding active and inactive certificates. Tables 19 through 22 provide details about individuals teaching outside of their certificated grade band or in an assignment without the appropriate endorsement. Tables 23 and 24 provide information about individuals holding 6/9 endorsements. No 6/9 endorsements currently exist in administrative code. Finally, Table 25 clarifies the assignments of individuals holding Exceptional Child (Special Education) certificates.

Table 18: Total Certificated Teachers[3]

Situation	Active, Certificated Individuals
Hold an active Idaho teaching certificate	19,882
Hold an inactive Idaho teaching certificate	10,567
Total certificated individuals	30,449

Table 19: Teaching Outside of Certificated Grade Band[3]

Situation	Active, Certificated Individuals
Do not hold a Secondary Certificate but have secondary assignments	600
Do not hold an Elementary Certificate but have elementary assignments	186

Table 20: Teaching Outside of Endorsement[3]

Situation	Yes	No	No %
Endorsement matches qualifications of assignment(s)	44,610	1,292	2.81

Please note that the data in Table 20 is counts based on active assignments. Since an individual may have more than one assignment, this does not represent unduplicated counts of individuals.

Table 21: Teaching Outside of Endorsement – Top Assignments with Issues, by Percentage[3]			
Assignment	**Yes**	**No**	**No %**
Life Skills (Gr. 9-12)	5	21	80.8%
Food and Nutrition (Gr. 9-12)	17	13	43.3%
Animal Production / Science (Gr. 9-12)	12	9	42.9%
Business Computer Applications (Gr. 9-12)	34	24	41.4%
Web Page Design (Gr. 9-12)	14	7	33.3%
Conceptual Physics (Gr. 9-12)	17	8	32.0%
Communications (Gr. 9-12)	19	8	29.6%
Marketing - Comprehensive (Gr. 9-12)	17	7	29.2%
Technical Math (Gr. 9-12)	35	13	27.1%
German 1 (Gr. 9-12)	25	9	26.5%
Zoology (Gr. 9-12)	52	16	23.5%
French 1 (Gr. 9-12)	47	14	23.0%
Foreign Language – Other (Gr. 9-12)	22	6	21.4%
Humanities / Humanities Survey (Gr. 9-12)	113	30	21.0%
Health Education (Gr. 9-12)	220	52	19.1%
Astronomy (Gr. 9-12)	55	13	19.1%
Child Development / Parenting (Gr. 9-12)	22	5	18.5%
Pre-Engineering Technology (Gr. 9-12)	28	6	17.7%
General Applied Mathematics (Gr. 9-12)	94	20	17.5%
World Geography (Gr. 9-12)	34	7	17.1%
Economics (Gr. 9-12)	185	38	17.0%

Table 22: Teaching Outside of Endorsement – Top Assignments with Issues, by Number[3]			
Assignment	**Yes**	**No**	**No %**
Health Education (Gr. 9-12)	220	52	19.1%
Economics (Gr. 9-12)	185	38	17.0%
U.S. History (Gr. 9-12)	493	38	7.2%
U.S. Government – Comprehensive (Gr. 9-12)	319	37	10.4%
Biology (Gr. 9-12)	344	36	9.5%
Algebra I (Gr. 9-12)	461	34	6.9%
Physical Education (Gr. 9-12)	305	33	9.8%
English IV 12th Grade Level (Gr. 12)	290	31	9.7%
Humanities / Humanities Survey (Gr. 9-12)	113	30	21.0%
Physical Science (Gr. 9-12)	264	28	9.6%
Geometry (Gr. 9-12)	363	28	7.2%
English I 9th Grade Level (Gr. 9)	439	28	6.0%
English III 11th Grade Level (Gr. 11)	333	26	7.2%
Business Computer Applications (Gr. 9-12)	34	24	41.4%
English II 10th Grade Level (Gr. 10)	396	24	5.7%
Life Skills (Gr. 9-12)	5	21	80.8%

Table 22 (continued)**: Teaching Outside of Endorsement – Top Assignments with Issues, by Number**[3]

Assignment	Yes	No	No %
General Applied Mathematics (Gr. 9-12)	94	20	17.5%
Spanish I (Gr. 9-12)	190	19	9.1%
World History – Comprehensive (Gr. 9-12)	201	19	8.6%
Public Speaking (Gr. 9-12)	222	19	7.9%
Algebra II (Gr. 9-12)	327	17	4.9%

Table 23: Teachers with a 6/9 Endorsement[3]

Situation	Active, Certificated Individuals
Teachers with a Secondary Certificate who hold a 6/9 endorsement	41
Teachers with an Elementary Certificate only who hold a 6/9 endorsement	511
Teachers with an Other Certificate (non-Elementary, non-Secondary) who hold a 6/9 endorsement*	5
Teachers with both an Elementary Certificate and an Other non-Secondary Certificate who hold a 6/9 endorsement	66
Total Teachers with a 6/9 endorsement	623

*Non- Elementary or Secondary Certificates included in analysis: Early Childhood / Early Childhood Special Education (EC/ECSE) Blended, Standard Occupational Specialist, Advanced Occupational Specialist, Alternate Authorization Content Specialist, Alternate Authorization Teacher to New, Administrator, Pupil Personnel Services

Table 24: Teachers with 6/9 Endorsement with a High School Assignment[3]

Teacher Certificate Details	Teachers with Active Certificate	Teachers with Assignment Data	Teachers with HS Assignment (spanning grades 9-10 or 9-12)
Teachers without a Secondary Certificate	582	539	54
Teachers with an Elementary Certificate only	511	472	39
Teachers with Elementary Certificate & Other, Non-Secondary Certificate	577	535	54

Table 25: Assignments of Special Education Certificated Individuals[3]

Situation	Number	Percent
Individuals with an Exceptional Child Certificate who only teach special education	717	33%
Individuals with an Exceptional Child Certificate who teach both special education and have another assignment	552	26%
Individuals with an Exceptional Child Certificate who do not teach special education	884	41%
Total Individuals with an Exceptional Child Certificate	2153	

Teacher Certificates and Endorsements

Idaho Administrative Code outlines specific educator certificates and endorsements. While the certificates and endorsements outlined in Administrative Code have changed over time, data presented in the April 2016 Pipeline Report clearly revealed that active certificate holders have been issued (and likely renewed) certificates and endorsements that are outdated or non-existent. The State Department of Education will need to have an ongoing process of ensuring that certificates and endorsements are aligned to current rule when issued (first time or renewal) and to make adjustments, as needed, when certificates are renewed. In cases where the State Department of Education either issued an outdated certificate or endorsement or incorrectly entered the certificate/endorsement into their database, corrections will be made to the data.

Teacher Departures

To understand Idaho's teacher pipeline, it is critical to gather and analyze data regarding situations that create vacancies. Tables 27 and 28 summarize data provided by school districts to the Department of Education regarding teacher retirements and other reasons for departure.

Table 27: Teacher Retirements[2]

Type	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16 YTD
Retirement	345	179	306	306	302	294	177
Early Retirement	196	17	9	0	0	0	0

Table 28: Teacher Departures[2]

Type	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16 YTD
Leaving education profession	63	46	68	60	54	55	42
To work outside Idaho	124	52	86	68	98	116	59
Parent/family obligation or spousal transfer	62	25	52	37	39	41	10
Service in foreign country	0	1	2	0	0	0	0
Military	3	4	2	2	3	0	0
Returning to school	17	5	12	7	11	7	0
Leave of absence	64	605	98	100	88	112	41
Personal Reasons	311	160	279	274	334	342	162
Reduction in force	84	46	68	25	18	9	1
Involuntary Termination	95	13	27	33	45	53	21

District Feedback on Hard to Fill Positions

In October 2014, the Idaho Association of School Administrators (IASA) partnered with Dr. Patti Mortensen, Assistant Professor of School Psychology and Educational Leadership at Idaho State University, to send out electronic surveys to superintendents of 115 Idaho school districts regarding hiring and hard-to-fill positions. Superintendents from 68 school districts from all six regions responded to the survey, representing 59% of Idaho school districts.

In fall 2015, Dr. Mortensen conducted an additional round of surveys, again partnering with IASA to distribute them electronically to 115 Idaho school districts. 72 districts responded to the second survey, representing all regions of the state and 62% of all Idaho districts. Tables 29 and 30 (below) provide a summary of the results from Dr. Mortensen's 2014 and 2015 surveys.

Table 29: Summary of Superintendents' Survey on Hard-to-Fill Positions[7,8]

Survey Item	2014 Survey (2014-15 School Year Hiring)	2015 Survey (2015-16 School Year Hiring)
Districts contacted	115	115
Districts responded	68	72
Reported hiring teachers or specialists for the upcoming school year	66	68
Reported that qualified candidate pools for open teacher positions were "inadequate"	79% (52 districts)	83% (59 districts)

Table 30: Summary of Superintendents' Survey on Hard-to-Fill Positions[9,10]

Survey Item	2014 Survey (2014-15 School Year Hiring)	2015 Survey (2015-16 School Year Hiring)
Reported that qualified candidate pools for open specialist (school psychologists, speech and language therapists, etc.) positions were "inadequate"	83% (54 districts)	88% (59 districts)
Districts able to hire fully certified staff for all of their vacant positions	10 of 65 districts (15%)	11 of 70 districts (16%)
Reported that hiring teachers was "extremely challenging"	41 districts	41 districts
Reported "some challenges" in hiring teachers	23 districts	24 districts
Reported open teaching positions in math were the most difficult to fill	71% (47 districts)	71% (42 districts)
The top three types of teaching positions that were the most difficult to fill	Secondary (55 districts), Special Educ (45 districts), Elementary (30 districts)	Secondary (57 districts), Special Educ (45 districts), Elementary (37 districts)

Table 31: Options Districts Used to Fill Vacant Positions[7]

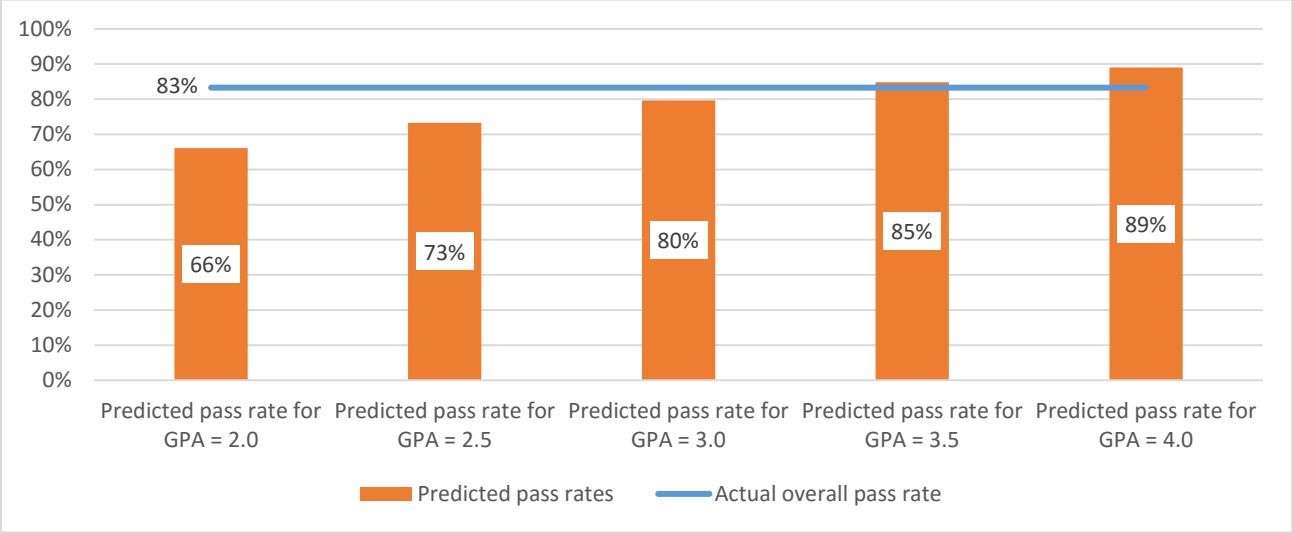
Option	# of Districts Reporting	Districts that Used Option Fall 2014	Districts that Used Option Fall 2015
Requested provisional authorization (1 year) for new hire(s)	64	54	58
Requested alternate authorization (3 years) for new hire(s)	68	54	58

[7] Mortensen, P. Idaho State University in partnership with Idaho Association of School Administrators. "The Impact of Teacher Shortages on Idaho Districts – Talking Points: Study Results for Fall 2014"
[8] Mortensen, P. Idaho State University in Partnership with Idaho Association of School Administrators. "The Impact of Teacher Shortages on Idaho Districts – Talking Points: Study Results for Fall 2015 (Year 2)"
[9] Mortensen, P. Idaho State University in partnership with Idaho Association of School Administrators. "The Impact of Teacher Shortages on Idaho Districts – Talking Points: Study Results for Fall 2014"
[10] Mortensen, P. Idaho State University in Partnership with Idaho Association of School Administrators. "The Impact of Teacher Shortages on Idaho Districts – Talking Points: Study Results for Fall 2015 (Year 2)"

Hired ABCTE prepared teacher(s) on alternate route to certification	68	44	53
Worked with educator preparation programs to hire student teacher(s)	63	31	31
Bought prep hours to cover needed sections	63	31	31
Increased class size and didn't hire	60	27	22
Started school with a substitute in hopes of filing position(s) later in the year	63	23	28
Cancelled classes and/or programs due to unfilled positions	59	22	17
Contracted specialist services w/ outside provider	61	28	35

The following chart demonstrates the correlation between a teacher candidate's GPA and the likelihood that he/she will pass the applicable Praxis test on the first try. The dataset includes candidates who were enrolled in an educator preparation program at one of Idaho's public institutions. The GPA data is the GPA of record (in the state longitudinal data system) as close to 60 accumulated credits as possible, in order to indicate the GPA of students at the time closest to their enrollment in the educator preparation program.

Due to the expansive amount of data included in the analysis, the correlation is statistically significant at a p value of 0.000. Thus even a slight difference in the likelihood of passing the Praxis on the first try would be considered statistically significant.



Conclusions

The process of gathering and analyzing the data for this report has clarified the limitations with the data that Idaho currently has available. While our capacity has improved with the state longitudinal data system, Idaho would benefit from identifying specific measures that we believe provide an accurate picture of the educator pipeline and establishing a strategy to effectively track them long-term. State Board of Education Staff will continue to work with the approved teacher preparation programs and the State Department of Education to assure that the data that is reported is consistently and accurately reported across the system. This will be particularly important in with data regarding individuals who hold certificates and the areas they are working in if we are going to be able to better identify the specific areas, both geographically as well as by subject, that are of

the highest need and develop strategies for addressing these shortages. In addition to changes in data collection, additional surveys should be conducted in order to fully understand not only why individuals are choosing not to enter the teaching profession but to also develop strategies for increasing recruitment at the district level. The Office of Performance Evaluations conducted a study title "Workforce Issues Affecting Public School Teachers," this report provides some additional insights on the difficulties school districts have in filling positions, this report is attached as Appendix A.

Based on the available statewide data, it appears that Idaho does not currently have a statewide shortage in all teaching grades and subjects. Rather, shortage issues are present in certain geographic and subject areas. Educator preparation program completion data and certification data indicates that the following subject areas have ongoing shortages: special education, math, secondary science (particularly chemistry and physics), bilingual and English Language Learner support, foreign languages, and some career technical education areas. Additionally, while regional data is not easily available, qualitative information from districts, educator preparation programs, and state staff indicates that shortages are common in rural areas beyond high need subject areas. Unfortunately, research on national and regional shortages reveals that the shortages identified in Idaho are the most common nationally. The higher pay scales commonly offered by districts in other states (particularly those in the Northwest and Mountain West region) further exacerbate the problem, as Idaho may lose teachers to other states. Additionally, some states are now offering incentives to attract educators to subjects and areas where shortages exist.

We continue to hear that teacher salaries are one of the areas that impacts an individual's interest in entering the teaching field as well as in the retention of teachers. State funding for teacher salaries in Idaho is based on an apportionment model. Through the continued implementation of the career ladder Idaho will have significantly increased the funding going to school districts for teacher salaries by 2020. Due to the apportionment model, teacher salaries are set at the local district level, additional analysis will need to be done to show how the increase in salary based apportionment impacts the increase in salaries at the local level.

Idaho's teacher shortage is not unique to Idaho. To address Idaho's teacher shortage areas, staff recommends that the State Board of Education consider a multi-pronged approach. Through the implementation of the career ladder and the availability of funds for high need areas or teachers who take on leadership roles within their school districts, Idaho has taken a first step in addressing teacher salaries. Additional strategies will need to be developed to recruit and retain teachers in high need areas including our rural school districts, however, if the larger issue of why individuals are not entering the teaching profession is not addressed Idaho will continue to have a dwindling pool of individuals to choose from.

To improve recruitment and retention of teachers, it is important that Idaho build an environment and narrative statewide that clearly values teachers, their professionalism and expertise, and their voice. Additionally, efforts to ensure that educators receive strong mentoring and support during their careers, particularly in the early years of teaching will need to be strengthened. To fully address all of the areas that impact Idaho's teacher pipeline a workgroup should be formed to look at various initiatives to address each area of the pipeline, from preparation to retirement and bring back recommendations, including implementation timelines, for consideration by the State Board of Education. Due to the widespread impact of a national teacher shortage many states have developed initiatives to try and address these shortages, these range from developing stronger partnerships between school districts and teacher preparation programs, the development of "grow your own" programs/partnerships, programs designed specifically for teachers for rural areas, to financial incentives. This group would look at the success of these programs in other states and the potential for success or adaptation in Idaho.

Workforce Issues Affecting Public School Teachers

Evaluation Report
January 2013

Office of Performance Evaluations
Idaho Legislature

Report 13-01

Created in 1994, the legislative Office of Performance Evaluations operates under the authority of Idaho Code §§ 67-457 through 67-464. Its mission is to promote confidence and accountability in state government through professional and independent assessment of state agencies and activities, consistent with legislative intent.

The eight-member, bipartisan Joint Legislative Oversight Committee approves evaluation topics and receives completed reports. Evaluations are conducted by Office of Performance Evaluations staff. The findings, conclusions, and recommendations in the reports do not necessarily reflect the views of the committee or its individual members.

2013–2014 Joint Legislative Oversight Committee

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Elliot Werk	Gayle L. Batt
Les Bock	Elaine Smith

Rakesh Mohan, Director
Office of Performance Evaluations

Workforce Issues Affecting Public School Teachers

January 2013

Report 13-01

Office of Performance Evaluations
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Representatives
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Maxine T. Bell
Gayle L. Batt
Elaine Smith

January 3, 2013

Members
Joint Legislative Oversight Committee
Idaho Legislature

This report offers an independent, nonpartisan analysis of workforce issues that affect Idaho's public school teachers. Policymakers and education stakeholders can use the report as a starting point to inform their renewed efforts to reform public education in Idaho.

Recognizing that teachers, principals, and superintendents have firsthand knowledge and experience about their profession, we reached out to all of them for their perspectives. Our analysis of survey responses from 2,486 teachers, 256 principals, and 84 superintendents coupled with our analysis of the available data from the Department of Education form the basis for this report's findings and conclusions. At the end of each chapter in our report, we offer considerations for policymakers that we believe would benefit the current education reform debate.

We thank Idaho's teachers, principals, and superintendents for their participation in our survey. Without their cooperation and valuable input, this report would not have been possible. Formal responses from the Governor, the State Board of Education, and the State Superintendent for Public Instruction are included at the end of this report.

Sincerely,

Rakesh Mohan

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Executive Summary

Workforce Issues Affecting Public School Teachers

Our study of public school teachers answers a series of questions from legislators about teacher preparation, recruitment, retention, and other matters affecting the teacher workforce. The report includes (1) statistics from our analysis of data provided by the Department of Education, (2) results from our detailed surveys of superintendents, principals, and teachers, and (3) information drawn from our interviews with school district administrators, college of education officials, and state staff from various agencies.

Considerations for Policymakers

Legislators requested this study during the 2012 legislative session at a time when policymakers and the state's Superintendent of Public Instruction were in the midst of implementing a comprehensive education reform package. Since then, three referendums repealed the reform package and, as a result, policymakers and other education stakeholders have voiced their intentions to proceed with a more inclusive, more collaborative approach to implementing changes to the state's public school system.

Because the state is ready to move forward with a revised approach to K–12 education reform, our report is timely. Each chapter in the report closes with a brief discussion of the chapter's relevance to issues that policymakers are currently facing as they work with education stakeholders to improve Idaho's K–12 public schools.

Chapter 1: Teacher Profile and Class Size

We caution policymakers against relying on state-level summary statistics to understand class size. Instead, we suggest that policymakers would be better served by (1) studying class size at the district or school level, and then (2) examining other descriptive statistics in addition to an average, such as the range of class sizes and the factors that affect that range.

Chapter 2: Teacher Preparation

Even though superintendent and principal respondents to our survey generally felt that new teachers are prepared to teach, they identified the following three areas they would like to see improved in new teacher hires: (1) multiple

certifications or endorsements to broaden what a new teacher is qualified to teach, (2) better classroom management skills, and (3) an increased ability to integrate technology into classrooms.

Chapters 3–5: Recruitment, Retention, Turnover, and Future Workforce Needs

An important theme throughout chapters 3–5 is the recruitment and retention challenges that districts and schools face and how those challenges may affect the quality and size of the teacher workforce. Chapters 3 and 4 detail K–12 public schools' struggles to recruit and retain qualified teachers, and chapter 5 discusses future workforce needs.

In our survey, superintendent and principal respondents across the state largely attributed their recruitment and retention struggles to teacher compensation packages. Additionally, results from our survey of teachers revealed a strong undercurrent of despair among teachers who seem to perceive a climate that disparages their efforts and belittles their contributions. The vast majority of comments from superintendents, principals, and teachers express concern or dissatisfaction with specific aspects of their work or, more broadly, with conditions surrounding the public education environment in Idaho.

These expressed concerns justifiably raise questions about the long-term availability of dedicated, quality teachers to serve the state's public school system. The general tone of dissatisfaction and sense of being underappreciated may present challenges to policymakers and directly affect the state's ability to ensure a steady supply of dedicated, highly effective teachers in all of Idaho's public schools.

Acknowledgements

We appreciate the cooperation and assistance we received from the following education stakeholders across the state: the State Board of Education, the Department of Education, local districts and their schools, the teacher education programs at Idaho's colleges and universities, Public Employee Retirement System of Idaho (PERSI), and the Department of Labor.

Maureen Brewer and Lance McCleve of the Office of Performance Evaluations conducted this study. Margaret Campbell copy edited and desktop published the report.

Dr. Kathleen Sullivan, visiting professor and former director of the Center for Educational Research and Evaluation at the University of Mississippi, conducted the quality control review.

Introduction

Legislative Interest

In March 2012 the Joint Legislative Oversight Committee approved a request from the Senate Education Committee to study a variety of issues affecting teachers employed in Idaho's K–12 public schools. The study request covered a range of topics from teacher recruitment and retention to new teacher preparation and class size.

The study scope in appendix A lists ten specific areas that legislators had questions about. The importance of studying each of the ten areas has been heightened because of factors such as the recent economic recession and current efforts to reform K–12 education.

Current Education Policy Environment

Three referendums, representing work completed during the 2011 and 2012 legislative sessions to reform public education, were placed on the November 2012 voting ballot. On November 6, voters rejected all three referendums.

After Idahoans voted down the package of laws known as Students Come First, education reform in the state has found itself at a new crossroads. Several state leaders and education stakeholders, including the governor and the president of the Idaho Education Association, have made comments about how they would like to see the state proceed. These comments offer examples of the agreement among various stakeholder groups that reform is necessary and desirable:

> "The people have spoken, so I'm not discouraged. That's how our system works. But it's important to remember that the public conversation that began almost two years ago isn't over—it's only begun. Our workforce, our communities and most of all our students still deserve better, and our resources are still limited. We offered these reforms not because we sought change for change's sake, but because change is needed to afford our young people the opportunities they deserve now and for decades to come. That's as true today as it was yesterday, so our work for a brighter and better future continues."—Governor Butch Otter[1]

[1] The Spokesman-Review, Eye on Boise: http://www.spokesman.com/blogs/boise/2012/nov/07/otter-school-reform-public-conversation-isnt-over-its-only-begun/

> "This debate has been about what's best for the students, educators and Idaho's public schools… Now that the voters have spoken, it's up to us, the adults, to model…for our students how grownups with diverse views can come together and put their differences aside and go forward… I urge lawmakers and other elected leaders and policymakers to meet us at the table, to begin the conversation about what is best for Idaho's students and Idaho's schools. We believe that together we can be a model of reform for the nation."—Penni Cyr, President, Idaho Education Association[2]

Our study on K–12 education acknowledges the state's unique position of navigating a productive way forward after the failure of the referendums and offers policymakers nonpartisan insight into the perspectives of stakeholders—perspectives which have not previously been gathered. These perspectives, coupled with our data analysis, can help policymakers take advantage of the renewed opportunity to move in a direction that addresses stakeholders' concerns. Specifically, the report

This report provides policymakers nonpartisan information on issues relevant to the current K–12 policy environment.

- helps to inform the policy conversations that education stakeholders are seeking to have with decision makers, and
- outlines stakeholder perspectives on teacher preparation, recruitment, retention, turnover, and other issues.

Study Approach

Our study was not designed to be an evaluation of the set of laws represented on the ballot as Propositions 1, 2, and 3 or the efforts for or against the reform package. Neither the study request nor the study scope mentions K–12 education reform.

We designed the study to respond to questions posed by policymakers using available data. The Department of Education gathers and stores detailed district–, teacher–, and student-level data in its longitudinal data system. We set out to learn what that data says and what it can tell policymakers. Further, district and school personnel have expertise on, insight into, and opinions about their profession and the various issues in which policymakers are interested. We wanted to know what district and school personnel had to say and what they felt was important to communicate to policymakers.

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[2] The Spokesman-Review, Eye on Boise: http://www.spokesman.com/blogs/boise/2012/nov/07/iea-chief-together-we-can-be-model-reform-nation/

Methodology

To meet our study objectives and thoroughly answer each of the questions posed by legislators, we completed the following tasks:

- Interviewed staff at the Department of Education.
- Analyzed data from the Department of Education's longitudinal data system. Our data analysis included a review of demographic statistics of the state's districts, schools, and teachers; an examination of teacher exit reasons (turnover); and an assessment of available data on class size.
- Interviewed the executive director of the Public Employee Retirement System of Idaho (PERSI).
- Analyzed teacher retirement data provided by PERSI.
- Interviewed staff from the Department of Labor.
- Reviewed workforce data provided by the Department of Labor.
- Interviewed officials from the colleges of education about their teacher education programs: Boise State University, Brigham Young University-Idaho, the College of Idaho, Idaho State University, Lewis-Clark State College, Northwest Nazarene University, the University of Idaho, and the University of Phoenix.[3]
- Interviewed a sample of school district administrators from ten districts across the state. We randomly sampled the districts after accounting for district size and geographic location.
- Before the November 6 vote on the referendums, we surveyed superintendents, principals, and teachers statewide about teacher recruitment, retention, turnover, preparation, and class size. Our survey methods are discussed in appendix B.

[3] We did not interview George Fox University because, at the time of our interviews, the institution was phasing out its teacher education programs in Idaho. However, the university recently notified the Department of Education that they plan to have an active cohort beginning in fall 2014.

Report Organization

We have organized the report into five chapters and two appendices.

The report highlights the perspectives of stakeholders that we gathered through interviews and surveys.

- Chapter 1 has a brief profile of teachers and includes our review of K–12 class sizes. This review discusses the limitations inherent in ascertaining reliable figures for the average number of students per class.
- Chapter 2 provides an overview of the state's teacher education programs and the standards those programs must meet. The chapter also discusses district and school administrators' perceptions of the preparation levels of new teachers.
- Chapter 3 discusses teacher recruitment by outlining which teaching positions are the hardest to fill and describing the recruitment challenges that districts and schools face in trying to fill open teaching positions.
- Chapter 4 is a discussion of teacher retention and turnover and includes a description of teacher retirement benefits and trends.
- Chapter 5 offers policymakers context for and insight into the future needs of the K–12 teacher workforce.
- Appendix A is our study scope.
- Appendix B outlines our survey methods, limitations, and results.

Each chapter concludes with considerations for policymakers.

Unlike most studies our office publishes, the nature of this study did not lend itself to a set of recommendations. Rather, the report serves to help policymakers better understand the set of K–12 issues outlined in our study scope and, in doing so, outlines areas for policymakers' consideration at the end of each chapter.

Chapter 1
Teacher Profile and Class Size

This chapter introduces K–12 teachers in Idaho by describing the average teacher in terms of experience, education, and salary. The chapter then moves to a discussion of the distribution of teachers and students throughout the state in terms of class size.

Who Teaches in Idaho?

In academic year 2011–2012 the state employed approximately 16,500 instructional staff to educate more than 280,000 K–12 students in 115 districts and 43 charter schools. Approximately 7,000 instructional staff teach at the elementary level versus 8,500 at the secondary level.[1] Regardless of which type of school they teach in, teachers in Idaho average 13 years of total teaching experience, hold a bachelor's degree, and make approximately $43,000 per year.

Instructional Staff Years of Experience

Years of Experience	Percentage of Instructional Staff
0–2	14.2
3–5	13.8
6–10	18.3
11–20	29.8
21–30	17.7
More than 30	6.2

[1] The remaining 1,000 or so teachers teach in mixed-level schools.

Degrees Held by Instructional Staff

Type of Degree	Percentage of Instructional Staff
Associate's	0.1
Bachelor's	73.2
Master's	24.9
PhD or EdD	1.0
Other	0.8

Average Teacher Salaries

The Legislature applies a formula called salary-based apportionment to calculate the amount of funds the state will provide districts to pay instructional staff salaries. Within the rules that define salary-based apportionment, the state has set a minimum salary that districts must pay a full-time instructional staff member. Currently, the minimum salary is $30,500 annually. We found that approximately 11 percent of full-time teachers are paid a salary near the state's minimum.[2]

Although Idaho has set a minimum salary for full-time instructional staff, about 19 percent of Idaho's teachers are not full time. Because part-time teachers generally receive a salary that is below the full-time minimum, we excluded them from our average salary calculations. For full-time teachers, the average salary is approximately $43,000. Exhibit 1.1 shows the distribution of teacher salaries by district size and level of experience.

In our review of full-time teacher salaries, we found that the average salary for teachers with less than five years of experience is about the same for all district sizes. However, the average salary for teachers with more than five years of experience is higher in medium, large, and very large districts than in small and very small districts.[3] The average teacher salary is a reflection of not only the average experience and education of full-time teachers statewide, but also at least two other variables:[4]

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[2] We defined full-time salaries near the state minimum as salaries ranging from $30,000 to $31,000.

[3] For the purposes of this report, very large districts have a student enrollment greater than 15,000 (3 districts), large districts have an enrollment greater than 5,000 (9 districts), medium districts have an enrollment greater than 1,500 (23 districts), small districts have an enrollment greater than 500 (42 districts), and very small districts have an enrollment of 500 or less (81 districts). These figures include the state's charter schools.

[4] We did not control for factors such as the cost of living among districts in our analysis of teachers' salaries. Therefore, our analysis should be interpreted as descriptive of differences in full-time teachers' salaries with no judgment on the appropriateness of those differences.

EXHIBIT 1.1 AVERAGE TEACHER SALARIES BY DISTRICT SIZE AND LEVEL OF EXPERIENCE

District Size[a]	0–2 Years ($)	3–5 Years ($)	6–10 Years ($)	11–20 Years ($)	21–30 Years ($)	More Than 30 Years ($)	Average Salary by District Size ($)
Very large	31,011	32,250	37,867	47,756	52,572	55,183	41,846
Large	31,780	32,624	38,653	48,949	52,734	54,955	43,360
Medium	32,205	33,836	39,108	49,686	52,903	53,895	44,768
Small	31,502	32,084	36,076	44,577	48,142	49,639	41,111
Very small	32,477	32,471	35,612	43,794	47,968	47,068	40,410
Charter	32,425	34,569	39,932	47,881	53,391	54,942	41,626
Average salary by years of experience	31,825	32,867	38,155	47,917	51,680	53,070	42,873

Source: Office of Performance Evaluations' analysis of Department of Education data.

[a] Very large districts have a student enrollment greater than 15,000, large districts have an enrollment greater than 5,000, medium districts have an enrollment greater than 1,500, small districts have an enrollment greater than 500, and very small districts have an enrollment of 500 or less.

1. On average, teachers in larger districts are paid more than teachers in smaller districts.

2. The total number of teachers working in larger districts exceeds the total number of teachers working in smaller districts.

In our statewide survey of superintendents, principals, and teachers, we asked respondents to offer additional comments as they relate to teacher retention, recruitment, and turnover. Across respondent types, comments that related to low pay were made the most often—mentioned by nearly one-third of the 1,527 respondents who offered additional comments. An example follows:

> The average full-time teacher in Idaho makes approximately $43,000 per year.

> "Several of my coworkers have left because they can't afford to teach anymore. They have to get higher paying jobs. They were good teachers. It's very sad."

Chapters 3 and 4 discuss the recruitment, retention, and turnover issues related to salaries in further detail. In those chapters, superintendents, principals, and teachers offer their opinions on how salaries affect keeping highly qualified teachers in Idaho classrooms.

What Is the State's Average Class Size?

Legislators expressed interest in learning more about the distribution of students and teachers across the state, particularly as that distribution translates to class size. They articulated specific interest in knowing, on average, how many students are in a classroom at any one time and whether class size is markedly different among district sizes.

Class size, defined for the purposes of this report as the number of students in a classroom, can sometimes be confused with ratios that compare the total number of students in the state (280,000) to the total number of instructional staff (16,500). In Idaho, the statewide student-teacher ratio is approximately 17 to 1.

The average class size in the state is not the same as the state's student-teacher ratio.

The statewide student-teacher ratio does not necessarily reflect actual class sizes throughout the state, nor does it reflect an average statewide class size. In reality, factors other than the total number of students and the total number of teachers affect the differences in class size among districts and schools. The following list highlights a few examples of factors that affect the size of classes across the state:

- Most of the state funds received by districts are based on their average daily attendance. Average daily attendance drives the number of classrooms (support units) and the number of teachers per classroom (staff allowance).
- Districts and schools use their share of available funds (both state and local) in a way that results in wide variations in class size given the different levels and types of classes within districts and schools.
- Not every teacher teaches a class every period of the day. Teachers have planning periods and some teachers work only part time.
- Some classes have more than one teacher assigned to them.
- Some subjects traditionally have far fewer (or far more) students than other subjects.

The data currently available at the Department of Education does not easily lend itself to a reliable calculation of a statewide average class size or average class size by district size. To derive either of these types of average class size, we would have to analyze the daily schedule of approximately 16,500 teachers and 280,000 students using data that was not designed for this type of analysis. In the absence of suitable data, we surveyed principals and teachers across the state and asked respondents to write in their average class size (number of students per classroom teacher).

Our analysis of the survey results showed an average class size of 23.3 reported by teachers and an average class size of 25.4 reported by principals—for an overall average class size of approximately 24 students per classroom teacher. Overall, principals and teachers in larger districts reported a higher number of students per class than those in smaller districts.

Average Reported Class Size by District Size

District Size	Teacher Response of Class Size	Principal Response of Class Size
Very large	25	28
Large	24	26
Medium	23	26
Small	22	23
Very small	17	20

Concerns About Class Size

In open-ended comments at the end of our survey of teachers, 102 respondents expressed their concerns about increasing class sizes. An example of those responses is captured here:

> "My biggest concern is the larger class sizes. I can't be there for all my students and meet all their needs when I have so many. Please help us get the classroom sizes back down to 20–24 students."

Likewise, administrators in six of the ten districts we interviewed conveyed that class size is increasing, class size is a concern, or class size is a primary focus. To better inform the results of our interviews with district administrators, we asked respondents to our survey of superintendents and principals to offer their opinions about the degree to which class size is a concern for them in their role as administrators. Superintendent and principal respondents differed somewhat in their opinions, with more principals than superintendents stating that class size is a major concern.

Degree to Which Class Size Is a Concern

	Major Concern (%)	Somewhat of a Concern (%)	Not a Concern (%)
Superintendents (N = 84)	23.8	40.5	35.7
Principals (N = 254)	41.7	38.2	20.1
Average class size reported by principals[5]	28.2	25.2	19.6

[5] We did not ask superintendents to write in the average class size in their district.

Because we asked principals about the degree to which class size is a concern in their schools, we were able to compare the principals' level of concern about class size to the principals' reported average class size. For principals who said that class size is a major concern, the average reported class size is approximately 28 students. For principals who said that class size is not a concern, the average reported class size is approximately 20 students.

Principals who said that class size is somewhat of a concern reported an average class size of approximately 25—a number that is, on average, one student per class more than the statewide average reported in our survey.[6] If we extend the relationship between average class size and level of concern about class size to a statewide level, the statewide average class size of 24 students could be considered somewhat of a concern.

In our interviews, several district administrators discussed the use of one technique in particular as part of their efforts to keep class sizes at acceptable levels. That technique is to absorb positions at certain grade levels and shift them to other levels to meet class size goals. Generally, this technique sacrifices high school positions to either improve or maintain class sizes at the elementary level.

Class size is a concern for many district and school administrators.

At least two district administrators mentioned a specific commitment to keeping class sizes at lower grade levels from getting too big. However, when we broke down our teacher survey results by grade level, we found very little difference in class size. Respondents who teach elementary classes reported average class sizes that are about equal to those reported by respondents who teach high school classes.

Average Class Size by School Type

	Average Class Size	Number of Respondents
High School	23	677
Middle/junior high	25	415
Elementary	23	1,008

A district administrator pointed out to us that concerns about class size run on both sides of the spectrum—the ability not only to keep core and remediation classes at acceptable levels but also to maintain programs that generally have much smaller class sizes, such as advanced placement courses. In our interviews, one administrator mentioned having to cut some advanced learning opportunities at the secondary level. Another administrator discussed the difficulty of trying to keep electives which have low enrollment.

[6] The statewide average class size of 24 refers to the average class size reported by teachers and principals who responded to our survey. For the range of class sizes reported, see appendix B, pages 60 and 63.

Considerations for Policymakers

We advise against relying on state-level summary statistics to draw conclusions about class size. Data such as the state's student-teacher ratio or average class size may be an appropriate place to begin learning about or understanding the distribution of teachers and students; however, policymakers and stakeholders should recognize the limitations of such summary-level data. Because class size is sensitive to factors that can significantly vary among districts, we conclude that considering class size in terms of a statewide ratio, average, or average by district size is of little practical value.

For example, statewide ratios and averages do not capture the range of class sizes throughout school buildings. Two respondents to our principal survey describe the range of class sizes seen at their schools:

> "We have lost 8 teaching positions in four years; we do not have enough classes to offer. We have class sizes in the teens and others in the 40's…"

> "…With budget cuts some teachers' class sizes are large and others are quite small, depending on our staffing for subject areas."

As shown by the principals quoted here, class size can vary dramatically from class to class within the same school. For class size statistics to be useful to policymakers, those statistics should be considered in light of individual district (or even school) circumstances. If the state tracked average class size at such a level, policymakers would be able to compare year-to-year class size variations and better position themselves to determine causes and solutions for undesirable trends in class size.

Within the context of district– and school-level class size data, identifying differences resulting from factors such as available resources, grade level, and subject matter will help develop a more accurate and useful picture of class size variations. Policymakers will then be in a position to ascertain the degree to which those variations may warrant concern.

Chapter 2
Teacher Preparation

Teachers have a central role in the success of the state's education system; this chapter explains what steps are taken to review and approve programs that train teachers and explains what standards those programs are required to meet. The chapter also provides information about the level of preparedness of teachers who are new to the profession.

How Are Teacher Education Programs Reviewed and Approved?

Teacher education programs, also called teacher preparation or teacher training programs, prepare students to become certified teachers. In Idaho graduates of approved programs are eligible for a standard teaching certificate from the state.

Idaho Code grants the State Board of Education the authority to approve teacher education programs and directs the Professional Standards Commission (PSC), housed within the Department of Education, to conduct program reviews.[1] As part of the state's partnership with the National Council for Accreditation of Teacher Education (NCATE), the PSC conducts a full review of teacher education programs concurrently with NCATE every seven years.[2]

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[1] The PSC consists of 18 members that serve three-year terms: a staff member from the Department of Education; a staff member of the Division of Professional-Technical Education; no less than seven certificated classroom teachers (including at least one teacher of exceptional children and at least one teacher in pupil personnel services); one representative from each of the following associations: the Idaho Association of School Superintendents, the Idaho Association of Secondary School Principals, the Idaho Association of Elementary School Principals, the Idaho School Boards Association, and the Idaho Association of Special Education Administrators; one representative from the education department of one of the private colleges; one representative from one of the community colleges; one representative from the education department of one of the public institutions of higher education; and one representative from the college of letters and sciences of one of the institutions of higher education.

[2] The US Department of Education recognizes NCATE as an official accrediting body for teacher preparation institutions. NCATE and the Teacher Education Accreditation Council (TEAC) are in the process of merging to form the Council for the Accreditation of Educator Preparation (CAEP).

A national team from NCATE and a state team from the PSC conduct reviews by using national standards and the Idaho Standards for Initial Certification of Professional School Personnel. During the review, the teacher education programs must demonstrate the methods used to assess whether candidates for teacher certification have the appropriate knowledge, skills, and professional dispositions to be successful teachers.[3]

Each teacher education program in the state is required to meet state standards and pass on-site reviews.

In between national reviews, a state team conducts an interim review (not to exceed every third year) of state-specific core teaching requirements.[4] All teacher education programs are scheduled to have a state review by the 2014–2015 academic year in the following four areas of focus:

- Clinical Practice and Summative Performance Assessment: Teacher education programs should observe and evaluate preservice teachers using the Danielson Framework, adopted by the State Board of Education in 2010.

- Mathematics Common Core Instructional Shifts and Mathematical Thinking for Instruction (MTI): Teacher education programs should train preservice teachers on teaching methods in the Common Core Standards for Mathematics.

- English Language Arts (ELA) Common Core Instructional Shifts and Idaho Comprehensive Literacy Requirements: Teacher education programs should train preservice teachers on teaching methods in the Common Core Standards for English Language Arts. Preservice teachers in teacher education programs should also be offered courses that align with the Idaho Comprehensive Literacy Plan.

- Instructional Technology and Data Literacy: Teacher education programs should train preservice teachers on the technology competencies approved by the PSC and the State Board of Education in 2010.[5]

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[3] NCATE expects teacher education programs to minimally assess two professional dispositions: fairness and the belief that all students can learn.

[4] Before any on-site program review, the institution must develop and submit to the Department of Education a report that thoroughly explains how the program evaluates candidates' knowledge and performance of the national standards and state-specific requirements for certification.

[5] A supplemental set of standards by the International Society for Technology in Education (ISTE) outlines best practices for the use of instructional technology. Also, more than one of the NCATE standards refer to the incorporation and inclusion of technology to foster student learning.

Teacher education programs must demonstrate whether candidates for certification meet or exceed standards. The state review determines whether the candidate assessment methods of the teacher education program demonstrate unacceptable, acceptable, or target performance for each standard.[6]

After a review of an institution's programs, the national team and the state team each develop a report. The state team's report (complete with recommendations) is submitted to the Standards Subcommittee of the PSC. The subcommittee reviews the report and makes recommendations about each program to the full PSC. The full PSC then considers the team's report and the subcommittee's recommendations and makes a recommendation to the State Board of Education to approve, conditionally approve, or deny the program. Final unit accreditation rests with NCATE once the board grants program approval.

Teacher Standards

As part of our effort to understand how teacher education programs prepare candidates for certification, we interviewed representatives of eight colleges of education about their programs.[7] During our interviews, many of the colleges explicitly stated that national standards and state requirements drive their programs' design and curriculum. Because the state regulates teacher education programs, the colleges must meet those standards and requirements.

> The state has the authority to ensure that teacher education programs prepare teachers in such a way that aligns with state goals.

NCATE Standards

NCATE organizes its standards for the accreditation of teacher education programs into six categories. The standards focus on how the institution prepares candidates for teacher certification:

1. Candidate knowledge, skills, and professional dispositions: Assessments indicate that candidates meet standards.

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[6] Criteria for the three determinations: (1) an unacceptable performance means evidence is not sufficiently comprehensive to demonstrate that candidates meet the standard, (2) an acceptable performance means evidence is sufficient to distinguish candidates who meet or exceed the standard from those candidates who do not, and (3) a target performance means that evidence shows that the program has a mature system of assessing candidates' knowledge and performance in a credible manner.

[7] We interviewed the four-year public institutions: Boise State University, Idaho State University, Lewis-Clark State College, and the University of Idaho. We also interviewed the four-year private and for-profit institutions: Brigham Young University-Idaho, the College of Idaho, Northwest Nazarene University, and the University of Phoenix.

2. Assessment system and unit evaluation: Programs have an assessment system that collects and analyzes data to evaluate and improve performance.

3. Field experience and clinical practice: Programs design, implement, and evaluate field experiences so that candidates can develop and demonstrate their knowledge, skills, and professional dispositions.

4. Diversity: Assessments indicate that candidates can demonstrate and apply proficiencies related to diversity.

5. Faculty qualifications, performance, and development: Program faculty are qualified and model best practices in scholarship, service, and teaching.

6. Unit governance and resources: Programs have the leadership, authority, budget, personnel, facilities, and resources to prepare candidates.

NCATE provides an explanation of each standard along with a rubric that describes criteria for meeting the performance requirements.

Idaho Standards for Initial Certification of Professional School Personnel

The state's standards, called the Idaho Standards for Initial Certification of Professional School Personnel, apply to all teacher certification areas. Every candidate for certification must demonstrate knowledge and performance of ten core standards regardless of the candidate's specific content area:

1. Knowledge of subject matter
2. Knowledge of human development and learning
3. Adapting instruction for individual needs
4. Multiple instructional strategies
5. Classroom motivation and management skills
6. Communication skills
7. Instructional planning skills
8. Assessment of student learning
9. Professional commitment and responsibility
10. Partnerships

Knowledge and performance statements accompany each standard. These statements serve as indicators to help determine whether a candidate has met the standards. Further, to become certified in a specific content area, a candidate must also meet any additional enhancement standards for that area. The enhancement standards detail further knowledge and performance criteria that describe what a candidate must know and be able to do. Evidence provided by each program that proves candidates are competent in each of these standards results in state approval of the teacher education program.

Department officials told us that in the past, Idaho's standards for initial teacher certification were primarily based on the number of credit hours and the content of courses completed. Over the past five years, Idaho has moved to standards that require an institution to recommend a candidate for certification based on what the candidate knows and is able to do—a combination of knowledge and performance.[8]

How Prepared Are New Teachers?

To understand district and school administrators' perceptions of new teachers' (0–2 years of experience) preparation to teach, we distributed a survey to all superintendents and principals in the state and asked them to share their opinions of new teachers. When asked whether new teachers are prepared to teach, the superintendent and principal respondents had similar answers. More than half of the respondents felt that most new teachers are prepared, and very few of the respondents felt that most new teachers are unprepared.

Degree to Which New Teachers Are Prepared to Teach

	Most Are Prepared (%)	Some Are Prepared, Others Are Not (%)	Most Are Unprepared (%)
Superintendents (N = 84)	57.1	41.7	1.2
Principals (N = 253)	56.5	39.9	3.6

Likewise, when asked about their level of satisfaction with new teachers, the answers provided by the superintendent and principal respondents aligned. Most of the superintendent and principal respondents indicated their overall satisfaction with new teachers. Very few of the superintendent and principal respondents expressed overall dissatisfaction.

Superintendents' and Principals' Overall Level of Satisfaction with New Teachers

	Satisfied (%)	Neither Satisfied nor Unsatisfied (%)	Unsatisfied (%)
Superintendents (N = 84)	70.2	25.0	4.8
Principals (N = 254)	70.1	26.8	3.1

[8] The standards align with the Interstate Teacher Assessment and Support Consortium (InTASC) model developed by a subcommittee of the Council of Chief State School Officers (CCSSO).

Skills and Credentials of New Teachers

Superintendents and principals want new teachers to have multiple certifications or endorsements, better classroom management, and an increased ability to integrate technology.

Although in a different order, the superintendent and principal respondents to our survey indicated the same top three skills or credentials they would like to see increased in new teacher hires. Each group of respondents selected multiple certifications or endorsements, classroom management, and an ability to integrate technology most often. Superintendents would most like to see an increase in the number of new teacher hires with multiple certifications or endorsements, and principals would most like to see better classroom management.

Skills or Credentials of New Teachers That Superintendents and Principals Would Most Like to See Increased[9]

	Multiple Certifications or Endorsements (%)	Classroom Management (%)	Ability to Integrate Technology in the Classroom (%)
Superintendents (N = 84)	76.2	59.5	53.6
Principals (N = 255)	35.7	67.5	45.1

Multiple Certifications or Endorsements

More than 75 percent of the superintendent respondents to our survey indicated a need or preference for new teacher hires to have multiple certifications or endorsements. District administrators across the state reiterated this sentiment in our interviews with them. Administrators in three small districts emphasized the need for teachers with more than one endorsement to help fill either multiple part-time positions or hard-to-fill, full-time positions. Two administrators explain:

> "In small schools, the hard part is finding a teacher with more than one endorsement. A major in history and a minor in social studies doesn't open any doors. Quit sending us students with an earth science endorsement; they can only teach one class. I need teachers who can teach chemistry, physical science, and math."

> "Teachers with more than one endorsement are what we're really looking for. We need them to teach one subject for a couple hours a day. I tell kids to get double certified. You can't walk out with just science or just English."

[9] Percentages do not sum to 100 because respondents could select more than one response.

In our interviews with the colleges of education, some mentioned the challenges inherent in students receiving multiple certifications or endorsements. For example, the state now requires students in elementary education programs to receive two endorsements.[10] To accommodate the new requirement while still ensuring students can graduate in four years, at least one college told us it has decreased the length of its elementary student teaching experience from a full year to one semester. The importance of field experiences like student teaching, especially as those experiences relate to better classroom management, are discussed later in this chapter.

Classroom Management

About 68 percent of the principal respondents and nearly 60 percent of the superintendent respondents said they would like to see better classroom management from new teacher hires. Learning effective classroom management skills takes place in the classroom, interacting with students. Administrators in four of the ten districts we interviewed mentioned the need for better classroom management but also acknowledged that getting in a classroom is the best way to gain classroom management skills—skills that either cannot be or are not learned in a university setting.

In our interviews with the colleges of education, every college spoke to the importance of field experience for preservice teachers. However, two colleges articulated challenges inherent in gaining those field experiences by specifically mentioning problems they face in placing student teachers. These two colleges expressed some concern about the effect of initiatives like pay for performance on placements for student teachers. They said that districts and schools are hesitating to take on student teachers and will have less incentive to do so because of the fear that student achievement will suffer with a student teacher in charge of classroom instruction rather than the veteran teacher.

Integrating Technology

About half of the superintendent and principal respondents said they would like to see an increased ability of new teacher hires to integrate technology into the classroom. In our interviews with district administrators, several of them mentioned new teachers' familiarity with technology and their willingness to use it but questioned whether the new hires were adequately trained to do so.
The colleges of education expressed a number of opinions about the use of technology and teaching in our interviews:

- Six colleges said they have specific coursework that focuses on the use of technology.

[10] The administrative rule was approved in April 2011. The colleges of education do not have to fully comply with the rule until fall 2013.

- Four colleges mentioned the challenges they face in offering an online teaching endorsement—primarily a lack of resources to establish the program or, even if the program was in place, trouble filling the seats available.

- Four colleges questioned whether the technology they train preservice teachers to use is even available in districts where students teach or start their careers.

- Three colleges said they understand the focus on technology, but challenges remain about how to train teachers on the use of technology and how to pay for the technology and necessary training.

- Two colleges mentioned the importance of not only showing preservice and inservice teachers how to use a technological device but also instructing teachers how to integrate that device into the classroom in such a way that improves student outcomes.

- At least two colleges require their preservice teachers to design electronic portfolios.

- One college suggested that learning how to integrate technology should be part of a teacher's professional development plan if an evaluation indicates the teacher needs to improve that skill.

No college we spoke with dismissed technology's increasing role in education. Rather, their comments to us offer policymakers insight into what factors may necessitate some consideration when deliberating policies involving technology's role in the classroom.

Considerations for Policymakers

One of the questions outlined in our study scope (located in appendix A) asks whether candidates for teacher certification are graduating from teacher education programs with the necessary skills. Given the information provided throughout this chapter, the answer is yes, in general terms, superintendents and principals feel new teachers are prepared. In addition, the state has the authority to adjust standards for teacher education programs to meet policymakers' goals.

Reviews conducted to assess whether and how well teacher education programs meet standards set by the state provide Idaho the opportunity to communicate anticipated changes with the colleges of education and adjust standards to meet evolving needs. We learned in our interviews that the deans of the colleges of education meet monthly. The uniqueness and importance of these meetings were mentioned in many of our interviews plus in conversations with Department of

Education staff. Everyone said that collaboration among the deans is very high. Although not hosted by the state, department staff attend the meetings to facilitate communication between the state and the teacher education programs.

Officials from one college of education told us that they did not know how to anticipate and prepare for a reform package they did not hear about until the 2011 legislative session when the state superintendent rolled out his plan. Changes to teacher education programs necessitate time and resources to implement. For this reason, the State Board of Education does not require the teacher education programs to meet new standards until two years after their initial approval.

Chapter 3
Recruitment

This chapter details issues of teacher recruitment. Positions that districts find hard to fill are discussed first. This discussion is followed by a description of the number of teachers who do not have a regular certification from the state but still fill a teaching position in one of the state's K–12 schools. The chapter then outlines challenges that superintendents and principals across the state face in trying to recruit teachers to their district or school.

What Are Districts' Hard-to-Fill Positions?

In our survey of superintendents and principals, we asked respondents to name their three hardest-to-fill positions. For both superintendent and principal respondents, the three positions most commonly identified as hard to fill were special education, math, and science. Likewise, in our interviews of district administrators, we found they most often named these same three positions.

Most Commonly Identified Hard-to-Fill Positions[1]

	Special Education	Math	Science
Superintendents (N = 80)	40	50	41
Principals (N = 250)	118	82	62

Some district administrators we spoke with stressed that they are experiencing trouble filling positions in areas different from the three most often mentioned in our survey and interviews. For example, superintendent and principal respondents to our survey also identified other positions as hard to fill such as music, speech language pathology, and district or school psychologists.

Hard-to-fill positions vary greatly among districts; the most commonly identified hard-to-fill positions are special education, math, and science.

[1] Reported as number of survey responses.

Provisional Authorizations and Alternative Certificates

One way to measure or define positions that districts and schools find hard to fill is to analyze the number of teachers with provisional authorizations to teach and the number of teachers holding alternative certificates. A provisional authorization is not a teaching certificate, but rather a nonrenewable, one-year emergency authorization.[2] Conversely, alternative routes to certification provide individuals the opportunity to become certified teachers without following a traditional teacher education program.

According to State Board of Education rule, alternative routes to certification aim to certify two types of individuals: (1) certified teachers who need an emergency endorsement and (2) individuals with strong content area backgrounds but limited teaching experience. Different alternative routes to become a certified teacher are available to school districts and individual applicants:

- **Teacher to new**: The teacher-to-new certificate is a nonrenewable, alternative authorization valid for up to three years.[3] It allows a district to fill a position with an individual who is certified to teach but does not have the correct endorsement for the needed content area. Individuals granted this type of alternative authorization have several options available to them to become fully endorsed in the content area.

- **Content specialist**: A content specialist is a nonrenewable, alternative authorization valid for up to three years. It allows a district with an identified need for teachers in a certain content area to hire an individual with a strong background in the needed area. The individual must hold a bachelor's degree, demonstrate content area expertise, and complete an 8–16 week study in education methods.[4]

- **ABCTE**: The American Board for Certification of Teacher Excellence (ABCTE) is a computer-based alternative route to become a teacher or add endorsements. Individuals must hold a bachelor's degree to begin the ABCTE process. Candidates must pass educational methods and content exams before receiving a three-year interim teaching certificate. While holding the interim certificate, candidates must complete a two-year teacher-mentoring program to qualify for a standard teaching certificate.

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[2] IDAHO CODE § 33-1203 outlines accredited teacher training requirements and prevents the State Board of Education from issuing standard teaching certificates to teachers who have completed less than four years of accredited college training. However, this section of code allows for the issuance of provisional certificates in emergency cases.

[3] The Authorizations Committee of the Professional Standards Commission must approve the teacher-to-new certificate. Once approved, candidates must annually submit an application that outlines their progress to the Authorizations Committee to remain on this route.

[4] The Department of Education, in conjunction with an approved Idaho university, develops and approves a plan to meet the requirements of the content specialist authorization.

During the 2011–2012 academic year, 2.4 percent of certified instructional staff (392 teachers) filled positions using a provisional authorization or alternative certificate.[5] Exhibit 3.1 shows how many teachers across the state have held provisional authorizations or alternative certificates the past four academic years.

The exhibit shows that teacher-to-new certificates were the most common type of alternative certificate in academic years 2009–2010 through 2011–2012. Department officials told us that this type of alternative certificate is the least concerning because certified teachers often use this route to add endorsements in high-need areas or areas of interest. Further, teacher-to-new certificates offer districts flexibility to make the right hire because districts not only consider applicants who hold the right endorsements but also consider other qualities such as whether those applicants have the necessary professional dispositions.

Department officials told us that the number of provisional authorizations and alternative certificates granted under the content specialist or the ABCTE are the primary reflectors of high-need positions. The provisional authorization is the least desirable followed by the content specialist and the ABCTE. The provisional authorization is the least desirable because it is a temporary, emergency authorization that cannot lead to certification and does not meet federal requirements for highly qualified teachers.[6] During the 2011–2012 academic year, 222 positions were filled by teachers using a provisional authorization, content specialist, or ABCTE.

EXHIBIT 3.1 NUMBER OF TEACHERS WITH PROVISIONAL AUTHORIZATIONS OR ALTERNATIVE CERTIFICATES

Academic Year	Total	Provisional Authorization[a]	Teacher-to-New Certificate[b]	Content Specialist[c]	ABCTE[d]
2011–2012	392	91	170	22	109
2010–2011	415	66	211	19	119
2009–2010	479	113	249	1	116
2008–2009	659	272	241	4	142

Source: Idaho State Department of Education data.

[a] Provisional authorization is a nonrenewable, one-year authorization that allows a district to hire an individual who is not appropriately certified.
[b] Teacher-to-new certificate is a nonrenewable authorization, valid up to three years, that allows a district to fill a position with an individual who is certified to teach in the needed content area but does not have the correct endorsement.
[c] Content specialist is a nonrenewable authorization, valid up to three years, that allows a district with an identified need in a certain content area to hire an individual with a strong background.
[d] The American Board for Certification of Teacher Excellence (ABCTE) is a computer-based alternative route to become a teacher or add endorsements.

[5] During the 2010–2011 academic year, 2.4 percent of certified staff (415 teachers) had an alternative authorization. In 2009–2010 academic year, 2.7 percent of certified staff (479 teachers) had an alternative authorization, down from 3.7 percent of certified staff (659 teachers) in 2008–2009.
[6] School districts can only hire an individual using a provisional authorization if the district has proved that all attempts to hire a certified individual have failed.

What Types of Recruitment Challenges Do Districts Face?

In our survey of superintendents and principals, most respondents indicated that either their applicant pool was too small for most open teaching positions or that the size of the pool significantly varies depending on the type of position. More superintendents than principals indicated that the applicant pool was too small.

Degree to Which Districts and Schools Have a Sufficiently Sized Applicant Pool for Open Teaching Positions

	Applicant Pool Is Too Small (%)	Desirable Number of Applicants (%)	Excessive Number of Applicants (%)	Size of the Applicant Pool Varies by Type of Position (%)
Superintendents (N = 84)	44.1	16.7	1.2	38.1
Principals (N = 255)	28.6	26.7	7.5	37.3

In addition to asking about the size of the applicant pool, we asked superintendents and principals to weigh in on the quality of the pool. Of particular interest is that less than 5 percent of superintendent respondents felt their district has a high quality applicant pool for open teaching positions.

Degree to Which Districts and Schools Have a Quality Pool of Applicants for Open Teaching Positions

	High Quality Pool (%)	Quality of Pool Generally Meets Expectations (%)	Low Quality Pool (%)	Quality of the Pool Varies Significantly by Type of Position (%)
Superintendents (N = 84)	4.8	32.1	14.3	48.8
Principals (N = 255)	18.4	33.3	16.5	31.8

In general, superintendent and principal respondents agreed on the degree to which they have trouble finding qualified applicants for open teaching positions in a few subject areas or specialties. As the following table shows, 75 percent of superintendent respondents indicated they experience some trouble finding qualified applicants for a few subject areas or specialties as did 65 percent of principal respondents.

Degree to Which Districts and Schools Have Trouble Finding Qualified Applications for Open Teaching Positions

	A Lot of Trouble (%)	Some Trouble in a Few Subject Areas or Specialties (%)	No Trouble (%)
Superintendents (N = 84)	17.9	75.0	7.1
Principals (N = 254)	13.4	65.0	21.7

Most Significant Recruitment Challenges

Besides the size and quality of the applicant pool, we asked superintendents and principals to tell us the most significant challenges they face in recruiting teachers. Both superintendent and principal respondents to our survey indicated the same top five challenges: salary, location of district or school near more competitive states, location of district or school near more competitive districts, remote or rural location, and the benefits package. Four of the five challenges directly relate to teacher compensation packages. A couple of teachers elaborate:

> "…I struggle to support my family on [the] wages of a teacher. Higher paying jobs with less stress outside of teaching look more attractive..."

> "I work in one of the best school districts. I am thankful for the strong relationship between administration and teachers. I am seeking employment in Oregon or Wyoming primarily due to low/frozen wages and my inability to support my family…"

Most Significant Teacher Recruitment Challenges[7]

	Remote or Rural Location (%)	Salary (%)	Benefits Package (%)	Located Near More Competitive Districts (%)	Located Near More Competitive States (%)
Superintendents (N = 84)	50.0	76.2	23.8	34.5	40.5
Principals (N = 255)	29.4	66.7	21.2	29.8	34.5

In Idaho, 42 districts border another state and many more are located close to another state's borders. When asked in our survey about the degree to which teacher compensation packages are competitive with neighboring districts, including districts in other states, only 25 percent of superintendent and principal respondents thought Idaho's compensation packages are competitive.

[7] Percentages do not sum to 100 because respondents could select up to three reasons.

Degree to Which Teacher Compensation Packages Are Competitive

	Competitive (%)	Somewhat Competitive (%)	Not Competitive (%)
Superintendents (N = 84)	25.0	33.3	41.7
Principals (N = 254)	24.4	42.1	33.5

Districts' and schools' most significant recruitment challenges relate to teacher compensation packages.

According to data from the National Education Association and the National Center for Education Statistics for the 2010–2011 academic year, among Idaho and its neighboring states, the average teacher salary in Idaho ranks fifth out of seven. The Bureau of Labor Statistics' data from May 2011 echoes this statistic. The bureau reported that the average salaries for Idaho's elementary and middle school teachers ranked fifth out of seven and sixth out of seven for secondary school teachers among Idaho and its neighboring states.

In our district interviews, administrators discussed their challenges to recruit based on teacher salaries in Idaho. These administrators described situations in which an interview is requested or a job offer is extended to an out-of-state candidate, but the candidate turns down the interview request or rejects the job offer because of a salary and benefits package that the candidate perceives as poor. Additionally, three administrators questioned whether Idaho's starting teacher salary provides a livable wage. They mentioned that, between paying student loan debt and household bills, teachers are looking elsewhere—whether that is a second job, a position in another state or another district, or a different profession entirely. One teacher describes this situation:

> "When I graduated four years ago, I did not have a true picture of what teaching would be. I am paid below the poverty level, work a second job, spend 60+ hours a week working on school related things, and am not appreciated for what I do."

Three district administrators also explained the challenges inherent in working for a remote or rural district or school. Two of those administrators specifically described the unique situation of new teachers that are unmarried, explaining that these teachers do not stay.

Respondents to our teacher survey also offered their opinions on the challenges faced by remote or rural districts:

> "We are a rural district with the majority of the teachers commuting approximately 60 miles per day. The district had to make salary cuts to meet its budget. It is hard to entice teachers to commute when teachers can make the same amount at a closer district."

> "Rural school districts do not have the capability to raise bonds for lost state funds. This makes it hard to stay in Idaho for significantly less wages when other states offer…funds at much higher levels."

> "…It is hard to get good, qualified teachers to apply to our rural school with the low support and low pay offered in our state…"

Considerations for Policymakers

The overall statewide percentage of teaching positions currently filled by provisional authorizations or alternative certificates (approximately 2.4 percent) may or may not be acceptable to policymakers. Regardless, more important than focusing on the total number of staff filling certified positions using a provisional authorization or alternative certificate are the local challenges faced by districts.

As described in this chapter, although district and school personnel identified some positions as harder to fill than others, our outreach to these personnel points to local factors that determine which positions are hardest to fill. Hard-to-fill positions not only vary significantly among districts, but can also vary significantly from year to year. Additionally, our survey and interview results revealed that compensation packages and the geographic location of districts often increase the level of difficulty to fill open teaching positions with teachers who possess the desired qualifications, regardless of whether the position is classified as hard to fill.

Chapter 4
Retention and Turnover

This chapter discusses input we received from superintendents, principals, and teachers across the state about the degree to which teacher retention and turnover are issues of concern in districts and schools. The chapter then goes into detail about retirement.

How Much of a Concern Is Teacher Retention?

Our survey asked superintendents and principals to comment on teacher retention issues. Superintendent and principal respondents differed in their opinions about the degree to which teacher retention is a concern. The most common response of both superintendents and principals was that teacher retention is somewhat concerning. In our analysis of the additional comments provided by superintendent, principal, and teacher respondents, problems with teacher retention emerged as the second most common theme identified by all respondents.[1]

Degree to Which Teacher Retention Is a Concern

	Not a Concern (%)	Somewhat of a Concern (%)	Major Concern (%)
Superintendents (N = 84)	19.0	51.2	29.8
Principals (N = 254)	40.2	44.9	15.0

When asked about which level of experienced teacher is the most difficult to retain, 34.5 percent of superintendents and 30.4 percent of principals said that new teachers (0–2 years of experience) are the most difficult to retain. Another 32.1 percent of superintendent respondents and 40.7 percent of principal respondents said that they perceive no difference in the retention of teachers with different levels of experience.

[1] Low pay was the most common theme.

Most Difficult Teachers to Retain in Terms of Level of Experience[2]

	New Teachers (%)	Teachers Frozen on Salary Schedule (%)	Midcareer Teachers (%)	Highly Experienced Teachers (%)	No Difference in Experience Levels (%)
Superintendents (N = 84)	34.5	32.1	21.4	16.7	32.1
Principals (N = 253)	30.4	25.3	13.4	13.0	40.7

Officials from the Department of Education and the State Board of Education communicated to us that they firmly believe the number one key to teacher retention is formal mentoring and induction programs—programs that can help transition teachers from a teacher education program into a teaching position where they will stay. The colleges of education reiterated this point in our interviews with them and said that although mentoring is needed to get teachers to stay, a gap exists between what teacher education programs provide and what the districts provide. One college indicated a need for collaboration between the teacher education programs and the districts, and another college mentioned the lack of funding to make a mentoring program a priority.

A few district administrators also spoke to the mentoring issue in our interviews with them. One superintendent said that his district specially hired a retired principal who supports new teachers in a mentoring program. Another superintendent told us that his district provides a small stipend for mentor teachers, at least in part because the superintendent feels that many new teachers burnout in the first two years and that those new teachers need mentoring. He stressed that good principals and mentors are key to teacher retention.

In our teacher survey, 81 percent of respondents said they are participating or have participated in a peer mentoring program as either the mentor or the mentee. Of those in a mentoring program, 59.7 percent said the experience is or was important to their professional development and another 32.3 percent said it is or was somewhat important.[3]

How Many Teachers Are Leaving?

The current policy environment for K–12 education in Idaho has created a heightened interest in teacher turnover—specifically how many teachers are

[2] Percentages do not sum to 100 because respondents could select more than one response.
[3] Only 8 percent said that their peer mentoring experience is or was unimportant to their professional development.

leaving the state's public schools and why. To explore recent trends in teacher turnover and clarify them for policymakers and stakeholders, we analyzed data from the Department of Education and asked about turnover on our survey of superintendents, principals, and teachers.

District-Reported Turnover Data

The Department of Education tracks factors affecting turnover by asking districts to collect exit reasons from staff who are leaving their current positions. The districts then report these reasons to the department.

Recently, various news outlets have published data provided by the Department of Education on teacher turnover. The reports have stated that the number of teachers leaving the profession has increased, rising each year from the 2009–2010 academic year to the 2011–2012 academic year. However, these figures only count those exit reasons that appear to indicate an intention to leave the profession, which is a major caveat.[4]

Aside from this caveat, after dissecting the raw data used to compile these figures, we identified an important issue: for the 2010–2011 and the 2011–2012 academic years, the reported figures include not just teachers, but other types of certified and noncertified staff.

> Policymakers should interpret published turnover data with caution.

Because the caveat and issue we identified with the recently reported figures make them likely to be misinterpreted, we conducted our own, updated analysis of the department's turnover data using only certified staff. Our analysis calculated the total number of certified staff who left their current position for each of the exit reasons reported to the department.[5]

Total Number of Certified Staff Who Have Left Their Current Position for Any Reason[6]

Academic Year	Number of Certified Staff	Percentage of Certified Staff
2009–2010	937	5.4
2011–2012	1,112	6.0

[4] The reported figures excluded turnover due to retirement, the transfer of a spouse, those leaving to teach in another education institution, and leave of absence.

[5] For our turnover analysis, we defined certified staff as (1) any staff who hold a valid certificate, and (2) any staff (whether certified or not) who are filling a certified position.

[6] We excluded turnover data for the 2010–2011 academic year because of a data reporting error. This error is described in footnote 7.

As opposed to the dramatic increases shown in the recently published turnover figures, our analysis of the department's data shows only a moderate increase in the number of certified staff who left their current position between the 2009–2010 and the 2011–2012 (937 staff to 1,112 staff) academic years.

Exhibit 4.1 shows the percentage of certified staff who have left their current position over the past three academic years. Our analysis of the Department of Education's data shows that the top three exit reasons were retirement, personal reasons, and to work for another education institution inside Idaho, with one exception in the 2010–2011 academic year. We believe this one exception is likely because of a reporting error.[7] As a result, we conclude that future corrections to the turnover data will likely dramatically decrease the turnover percentage currently attributed to leave of absence, making the top three exit reasons for all three academic years the same.[8]

As the data currently stands, approximately 80 percent of all certified staff who left their position in the 2009–2010 academic year left because of retirement, personal reasons, and work at another education institution inside Idaho. In the 2011–2012 academic year, these three reasons account for about 61 percent of the certified staff that left their current position.

District Outreach: Interview and Survey Results

Although the turnover data available from the Department of Education can help paint a picture of statewide turnover, it does not provide much insight into the effect of turnover. To better gauge how teacher turnover is likely to affect districts, we asked superintendents, principals, and teachers several questions on our survey about the number of teachers who have left or may have plans to leave. Of the 2,487 teachers who responded to our survey, 85.5 percent plan to continue teaching in Idaho and 14.5 percent do not.

- We asked two questions of the 14.5 percent who do not plan to continue teaching in Idaho: 53.0 percent say they are likely to leave their current position to teach in another state, and 43.6 percent said they are likely to leave teaching for a new occupation.

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[7] In the 2010–2011 academic year, the most cited exit reason was a leave of absence, which alone accounted for about 52 percent of all certified staff leaving their current position. However, of the certified staff that reported leave of absence as their exit reason, 92 percent were from a single district, indicating a likely error in the data reported. We excluded the turnover rate for the 2010–2011 academic year because the apparent error is so large that it could result in a major misrepresentation of the turnover rate for the entire state.

[8] Any data less than three years old is susceptible to change. According to Department of Education officials, districts are allowed up to three years to correct data they submit to the department. Department officials told us that data corrections are common.

EXHIBIT 4.1 CERTIFIED STAFF TURNOVER BY EXIT REASON, ACADEMIC YEARS 2009–2010 THROUGH 2011–2012

	Academic Year		
Exit Reason	2009–2010 (%)	2010–2011 (%)	2011–2012 (%)
Contractor no longer paid on district payroll	0.1	0.8	4.5
Death	0.7	0.6	1.1
Involuntary termination	4.1	1.0	2.1
Leave of absence	2.6	52.4[a]	8.3
Leaving education profession	2.2	3.4	4.9
Military	0.3	0.1	0.2
Parental/family obligation	0.0	0.4	1.1
Personal reasons	8.9	12.7	21.9
Reduction in force	3.2	2.7	6.3
Retirement[b]	51.8	14.1	26.1
Returning to school	0.2	0.5	1.3
Service in foreign country	0.0	0.0	0.2
Spouse transferred	1.6	1.8	2.8
To work for another educational institution inside Idaho	18.9	5.6	12.8
To work for another educational institution outside Idaho	5.4	3.9	6.7

Source: Office of Performance Evaluations' analysis of Department of Education data.

Note: Percentages do not sum to 100 because of rounding.

[a] Of the certified staff that reported leave of absence as their exit reason, 92 percent were from a single district, indicating a likely error in the data reported.
[b] Includes regular retirements and participants in the Early Retirement Incentive Program.

- We also asked two questions of the 85.5 percent who plan to continue teaching in Idaho: 74.4 percent say they are unlikely to leave their current position to teach in another school within the same district, and 73.1 percent say they are unlikely to leave their current position to teach in another district.

Most teachers plan to continue teaching in Idaho.

The survey responses of superintendents and principals showed differing opinions on the degree to which teacher turnover is a concern for their district or school. In general, principals felt turnover was less of a concern than superintendents did.[9] In our survey of teachers, 167 respondents commented that they or other teachers they work with

[9] These results mirror the responses provided by superintendents and principals to our survey question about teacher retention.

are considering leaving. For example, one teacher articulated his or her perception of why teachers may leave:[10]

> "I can understand why no teacher would want to teach here or stay because every year for the past five years we have taken a pay cut, had more responsibilities, and been given less support and appreciation."

Degree to Which Teacher Turnover Is a Concern

	Not a Concern (%)	Somewhat of a Concern (%)	Major Concern (%)
Superintendent (N = 84)	19.0	48.8	32.1
Principals (N = 255)	40.4	42.0	17.6

We followed up our question about the degree to which teacher turnover is a concern with a question for superintendents and principals about the most common teacher exit reasons in their district or school. The top three reasons for turnover according to the superintendent respondents matched the top three reasons for turnover identified by the principal respondents. Retirement was the most common reason selected, followed by out-of-state transfers and transfers to another district within Idaho.

Most Common Teacher Exit Reasons[11]

	Retirement (%)	Transfer Out of State (%)	Transfer to Another District (%)
Superintendents (N = 68)	60.3	57.4	51.5
Principals (N = 152)	54.0	44.7	38.8

The survey results mirror what we learned in our ten district interviews. In these interviews, two district administrators mentioned retirement as the reason for the majority of turnover. Six administrators discussed the challenges inherent in trying to keep teachers from leaving for other states (particularly Wyoming where salaries are higher). Another five administrators described the competition for staff among districts. One respondent to our teacher survey explains:

[10] This comment did not necessarily specify whether the respondent meant he or she was considering leaving his or her current position or the profession altogether.
[11] Percentages do not sum to 100 because respondents could select up to three reasons.

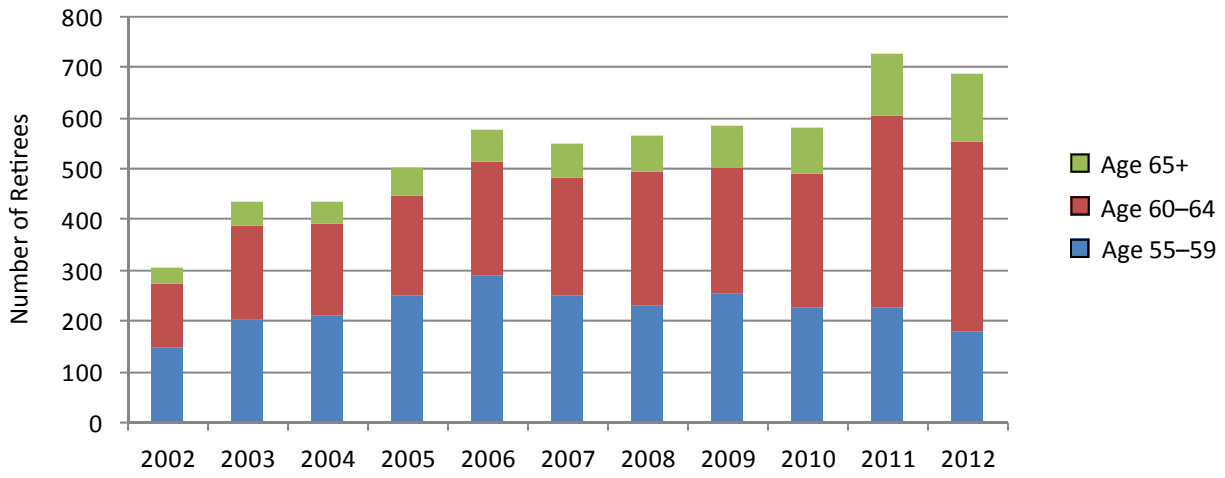
> "We are losing many of our best teachers because they are overworked and underpaid so they take opportunities elsewhere."

What Benefits Does PERSI Offer Teachers?

K–12 teachers in Idaho are general members of the Public Employee Retirement System of Idaho (PERSI).[12] PERSI applies the same rules to teachers that it applies to any other general member.[13] The rules outline eligibility requirements and a formula that calculates retirement benefits. The date a member becomes eligible to retire depends on the member's age and years of service.[14] The benefit available at retirement is calculated by a formula that takes into account salary, years of service, and a benefit multiplier.[15]

An average of approximately 3 percent of teachers have retired each year from fiscal year 2002 to 2012—a total of approximately 6,000 teachers. Exhibit 4.2 shows the total number of teachers that have retired each year since fiscal year 2002.

EXHIBIT 4.2 NUMBER OF TEACHER RETIREES, FISCAL YEARS 2002–2012



Source: Data from PERSI.

[12] PERSI is a defined benefit plan into which both employees and employers pay contributions.
[13] General members of PERSI have different rules than members who qualify as public safety officers.
[14] Members accrue one month of service for each calendar month worked as an active member. Active members are those who work 15 or more days within one calendar month and, if you are a teacher, work half time or more. A member's retirement benefit is based on 42 consecutive months during which a member earns his or her highest average salary.
[15] The benefit multiplier for general members is 2 percent.

Idaho Code § 59-1342 defines the service retirement age as 65 for general members, including teachers. General members who retire at the age of 65 will receive their full retirement benefit. For a reduced retirement benefit, general members can retire at the minimum age of 55. Exhibit 4.2 depicts how many teachers retired at the service age versus how many retired before the age of 65.

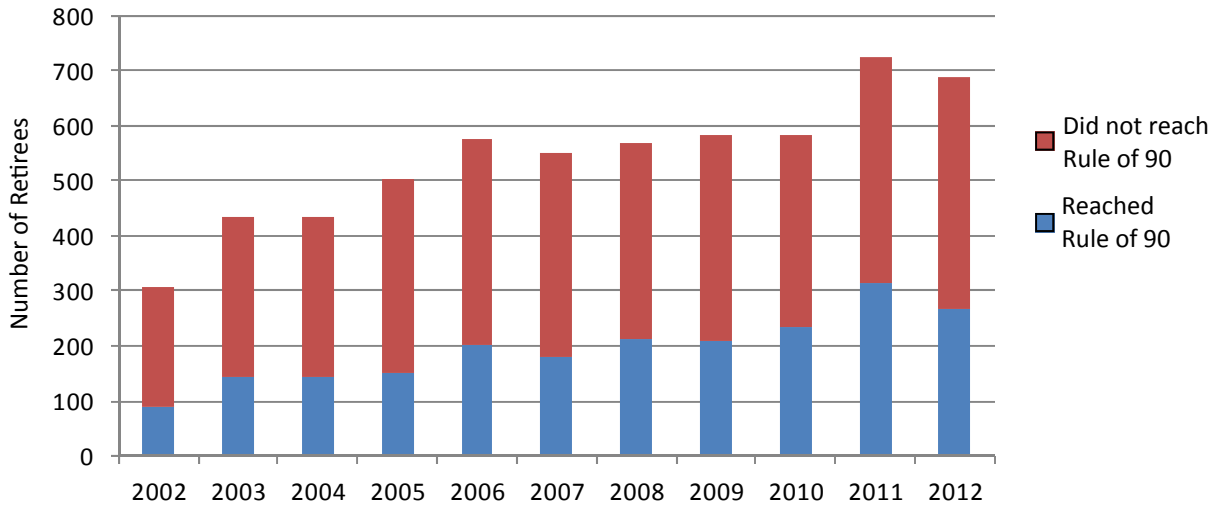
Early Retirement

The average retirement age for teachers in Idaho is 61, an average that falls between the service retirement age and the minimum retirement age. PERSI allows teachers and other general members to retire early and still receive their full retirement benefit if they have met their rule of 90.

Rule of 90: Member age plus years of service equals 90.

If general members retire before 65 or before reaching their rule of 90, their retirement benefit is reduced. Exhibit 4.3 depicts how many teachers had reached their rule of 90 when they retired. It shows that many teachers over the past decade had not yet reached their rule of 90 before retiring. The early retirement incentive made available to certified district staff (excluding administrators) may, at least in part, explain this trend.[16]

EXHIBIT 4.3 NUMBER OF TEACHER RETIREES WHO DID AND DID NOT REACH THEIR RULE OF 90 AT RETIREMENT, FISCAL YEARS 2002–2012



Source: Data from PERSI.

[16] Certified staff can take the one-time incentive (based on a percentage of the employee's salary and his or her age) if they meet certain criteria. Two of the criteria state that the employee (1) must not have met the rule of 90, and (2) must have been between the ages of 55 and 62.

Retirement and the Recession

Over the past decade, teacher retirement trends look about the same with no significant deviations from the norm. PERSI does not have any data to support the premise that teachers who are eligible for retirement are continuing to work because of the effect of the salary cuts on their PERSI base plan benefit or the effect of the recession on their elective 401K benefit.

According to PERSI's executive director, the effect of salary cuts on a teacher's base plan benefit depends heavily on when the cut took place and how much was cut. A teacher continuing to work may actually have very little effect on their base plan benefit because PERSI uses the highest average salary in a consecutive 42-month period.

The executive director also said, however, that the teachers PERSI tends to hear from are those who do not see the value in continuing to work. For example, a common scenario that PERSI officials have recently seen is a teacher who has experienced a salary cut and does not expect his or her salary to return to its highest point for another couple of years at best. In this case, the teacher often decides to retire.

A majority of the respondents (88.5 percent) to our teacher survey said they are not eligible to retire, but 9.2 percent indicated that they are.[17] When those 9.2 percent were asked why they have not yet retired, they most often cited two reasons; 52.8 percent of them said they enjoy teaching and are not ready to retire, and another 54.8 percent said they cannot afford to retire.[18] The next most common reason respondents mentioned for why they had not retired was that they intend to retire by the end of the current academic year (3.8 percent).

Leaving PERSI

Teachers can transfer within the state from one school to another or from one district to another without the transfer affecting their status in the retirement system. However, if a teacher transfers out of state, two things happen: (1) PERSI's retirement benefit would not transfer, making the teacher an inactive member, and (2) the teacher would presumably enter a different retirement system in his or her new state.

According to PERSI's executive director, the benefits that a teacher would be eligible for by accumulating years of service in two or more systems do not

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[17] About 2 percent of respondents were not sure if they are eligible to retire.

[18] The 54.8 percent of respondents who said they cannot afford to retire is the combined response of 52.8 percent of respondents who indicated that they cannot afford to retire and 2.1 percent of respondents who selected the category "other" and specified that they cannot afford insurance.

equate to the benefits that the same teacher would be eligible for had the teacher accumulated all of his or her years of service in one system.

For example, if a teacher taught in an Idaho school district for 15 years and then transferred out of state where he or she taught for another 15 years, the teacher would have accumulated 30 years of service. Upon retirement, the teacher would draw benefits from two state retirement systems unless he or she claimed a separation benefit when leaving PERSI-covered employment.[19] Whether the teacher is "penalized" for the transfer (i.e., not accumulating all 30 years of service in Idaho) would depend on his or her individual set of circumstances. The net effect (positive or negative) of any transfer in and out of different retirement systems would have to be determined on a case-by-case basis. Hence, any transfer among retirement systems would most certainly result in either a benefit increase or decrease because every retirement system has its own set of rules and offers different benefits.[20]

The effect of out-of-state transfers on teacher retirement benefits can only be quantified case by case.

Considerations for Policymakers

Notably, the data currently available on teacher turnover does not support assertions that turnover has experienced a marked increase or change over the past three years. Therefore, we conclude that a mass teacher exodus has not occurred but that fears about such an exodus occurring in the future may not be totally unfounded. In light of our discussion in two areas: (1) the recruitment and retention challenges detailed in this chapter and the previous one, and (2) the widespread tone of dissatisfaction expressed in our survey results, we suggest that policymakers consider turnover data as one more source of information available to identify and track recruitment, retention, and job satisfaction issues faced by districts and schools.

By understanding what is and is not included in turnover numbers (for example, only teachers versus certified staff versus all staff), policymakers can use the data provided in this chapter as a baseline to monitor trends going forward, especially as conversations begin anew about the direction and pace of education reform in Idaho. Keeping a watchful eye on teacher turnover trends will only serve to better inform policy decisions and improve policymakers' ability to ascertain future teacher workforce needs—needs described in chapter 5.

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[19] A separation benefit is a withdrawal of the contributions made to your base plan account.

[20] The average monthly benefit collected by PERSI retirees are the eleventh lowest in the nation. Conceivably, a teacher could move to 39 other states and receive a benefit enhancement. Among neighboring states, only retirees in Wyoming and Montana have a lower average monthly benefit than retirees in Idaho.

Chapter 5
Future Teacher Workforce Needs

The discussions in chapters 3 and 4 on recruitment, retention, and turnover lend to a discussion of what the future supply and demand for teachers will be. This chapter highlights one other important factor affecting future teacher workforce needs: changing teacher duties. After discussing superintendent, principal, and teacher opinions about changes in teacher duties, this chapter concludes with an explanation of what resources are available to understand teacher supply and demand.

How Are Teacher Duties Changing?

By discussing factors that affect recruitment, retention, and turnover chapters 3 and 4 both outline concepts that will likely affect Idaho's future need for teachers. One other important area that we identified as having the potential to affect the supply and demand of teachers is the changing nature of teacher duties. Policymakers expressed specific interest in understanding whether teacher duties may have changed due to a loss of support staff.

Our survey asked superintendents and principals to indicate the degree to which teachers in their district or school have experienced a change in duties due to a loss of support staff. We also asked teachers for their opinions on how much their duties have changed. Superintendent, principal, and teacher respondents had nearly identical responses, with approximately 47–48 percent of each set of respondents indicating the loss of support has caused a significant change in teacher duties.

Degree to Which Teachers Have Experienced a Change in Duties Due to a Loss of Support Staff

	Significant Change (%)	Some Change (%)	No Change (%)
Superintendents (N = 84)	47.6	40.5	11.9
Principals (N = 255)	47.8	43.9	8.2
Teachers (N = 2,467)	47.1	38.6	14.4

Likewise, in our district interviews, several administrators mentioned that the loss of paraprofessionals and other instructional or duty aides has had a burdensome effect on teachers' time and attention. For example, a few administrators explained that instead of teachers spending time preparing for class, developing curriculum, or mentoring a student one-on-one, they are performing lunch, recess, or bus duty.

Teachers, as well as district and school administrators, commented on the daily demands of teachers that extend beyond instructional duties.

District administrators we interviewed said that the reduced numbers of support staff coupled with increased demands are causing a shift in the nature of teacher duties. For instance, district administrators mentioned new initiatives, such as the Common Core or Students Come First, as examples of increased demands on teachers, as well as the concept of meeting the diverse needs of all students—to include not only academic needs but also social, emotional, and health needs. A few respondents to our teacher survey expanded on the expectation to do more with fewer resources:

> "The continual pressure on public school teachers to do more and more with less and less is grinding me to dust. It's not one big thing, it's all the small-to-medium things, for the past three years, that is causing me to reconsider my career as a teacher.
>
> "I have taught for 28 years. The last few years have been the most difficult of my career. I truly believe in accountability, but realistic accountability. We are expected to do more and more with less and less and no support. I will leave teaching soon."

According to administrators we interviewed, teacher workload is increasing as teachers are asked to do more, change more, and change faster. One administrator explains the potential effect:

> "Teaching is to some degree like an actor's performance. What I mean is that it's a craft. Teachers have to present information in a way that engages their students and it takes a high amount of energy to do that. There's a need for them to have breaks and regroup… What is happening is that teachers are having to do more of the duties (recess, lunch, detention, etc.) and that limits their ability to get ready for their lessons…
>
> …It affects the education of kids. If people really followed a master teacher for a good while of time, they would see the energy level required day in, day out to be present. I can read lines as an actor, but can I perform? That's true with teaching; there's a science and an art. You need to provide certain supports for the art."

Because of the potential for teacher duties to change for any number of reasons, we also asked teacher respondents to our survey to identify up to three other factors that may have caused a change in their duties besides a loss of support staff. Interestingly, given the opportunity to list other factors, respondents reiterated a loss of staff as the most common factor affecting a change in duties followed by budgetary or funding factors and larger class sizes.

Teachers most commonly identified a loss of support staff as causing a change in their duties.

What Are Idaho's Future Needs?

Legislators expressed interest in developing a deeper understanding of Idaho's anticipated needs—an important matter in light of the perceptions of superintendents, principals, and teachers on a variety of K–12 issues outlined not only in this chapter, but also throughout the report. We learned that to make future need projections, we would have to rely substantially on assumptions and caveats to separate any long-term changes in teacher recruitment and retention patterns from the effects of recent economic conditions and the current K–12 policy environment. Furthermore, projections for the future statewide supply and demand for teachers in Idaho can be complex because the balance of supply and demand for teachers varies dramatically by district. Each district has its own challenges for recruiting and retaining teachers and should be examined individually.

As part of our effort to respond to legislators' questions and quantify Idaho's future need for teachers, we asked superintendent and principal respondents to our survey about their expectations for the number of open teaching positions. Specifically, we asked respondents to project whether open positions will be above, below, or about average over the next two years. Nearly half of both superintendent and principal respondents indicated they thought the number of open teaching positions would be average. The remaining respondents felt that the number of open teaching positions would be either below or above average. These respondents also provided a rationale:

Data currently available on teacher supply and demand does not lend itself to a straightforward conclusion that is applicable to the entire state.

- Approximately 15 percent of superintendent respondents said that they expected the number of open teaching positions will be lower than average over the next two years versus 25 percent of principal respondents. Superintendents cited three reasons in approximately equal proportions: decreased student enrollment, reduced workforce, and anticipated low turnover. On the other hand, most principals indicated that they expected fewer open positions because they anticipated low turnover rates.

- About one-third of superintendent respondents and one-fourth of principal respondents said that they expect the number of open teaching positions will be higher than average over the next two years. When asked to offer their opinion on why they thought there would be more open teaching positions than usual, both superintendent and principal respondents indicated they expected increased teacher retirement and voluntary turnover, including teachers leaving for other states, teachers leaving because they are dissatisfied or feel underappreciated, and teachers leaving because of low salaries.

Only about half of teacher respondents feel that their job is secure.

When we asked teacher respondents to comment on their level of job security, nearly half (48.9 percent) indicated they feel their job is secure. However, 22.8 percent said they did not feel their job was secure, and another 28.4 percent were unsure.

Current Efforts to Quantify Needed Positions

The Department of Labor calculates employment projections for a wide range of occupations, including teachers. Exhibit 5.1 displays the Department of Labor's employment projections for elementary, middle, and secondary school teachers through 2020. The estimates project an annualized growth of 1.3 percent each year.

EXHIBIT 5.1 EMPLOYMENT PROJECTIONS FOR TEACHERS, 2010–2020

Type of Teacher	2010 Employment	2020 Employment	Net Change	Percentage Change (%)	Annual Growth[a]	Annualized Growth[b] (%)	Annual Replacements[c]	Annual Openings[d]
Elementary[e]	6,960	8,160	1,200	17	120	1.60	153	273
Middle School[e]	1,848	2,167	319	17	32	1.61	41	73
Secondary[e]	4,416	4,741	325	7	33	0.71	121	154
Total	13,224	15,068	1,844	14	185	1.31	314	499
All Education Occupations[f]	38,973	44,368	5,395	14	540	1.30	835	1,375

Source: Data from the Idaho Department of Labor's 2010–2020 Occupation Projections.

[a] Number of vacancies due to growth in the student population.
[b] Average percentage of growth per year from 2010 to 2020.
[c] Number of vacancies due to natural turnover such as retirement.
[d] Openings due to growth and replacement needs.
[e] Excludes special education and vocational teachers.
[f] Includes all P–20 positions plus library and training positions.

The Department of Education compiled a detailed supply and demand report in the past but has significantly scaled back that report because it was, according to department officials, neither accurate nor useful. In order to complete the report, the department had to rely on district personnel to do cumbersome guesswork. Now the report only reflects districts' hard-to-fill positions—information that the department provides annually to the federal government.

Despite the lack of a robust teacher supply and demand report, the State Board of Education, in conjunction with the Department of Education and the Department of Labor, is taking several steps toward reaching a better understanding of teacher supply and demand issues—primarily by linking education data with workforce data. To help make this link, the State Board of Education secured federal grant money. Under the grant, the board is working with the Department of Education and the Department of Labor to meet three primary objectives:

1. The State Board of Education is working with the Department of Labor to develop the workforce database (maintained by the Department of Labor). The funds for this part of the project total $2.5 million.

2. The Department of Education is responsible for enhancing the education unique ID system (EDUID) to enable the system to link students to the workforce database. The funds for this part of the project total $250,000.

3. The State Board of Education will create a research request portal with funds totaling $259,000.

Additionally, the Department of Labor received a Workforce Data Quality Initiative grant for $1 million that will be used to determine the effectiveness of workforce development programs. The ultimate goal is for the state to have a robust longitudinal data system that links P–20 education data to workforce data.[1]

Considerations for Policymakers

Future teacher workforce needs are inconsistent among districts.

Teacher workforce needs can be difficult to predict, especially given the undetermined effect of recent economic conditions and the current K–12 policy environment. Although this chapter identifies some statewide themes that affect future need, not all districts or even schools within the same district face similar workforce needs. Our survey results show that future need is not consistent statewide. Some districts and schools expect significant numbers of open teaching positions; others expect relatively few open teaching positions.

[1] P–20 refers to a system that integrates data from preschool through higher education.

When looking to ensure an adequate supply of high quality teachers in Idaho, policymakers should consider who is being priced into or out of the teaching workforce. Our study leads to a pointed question—to whom are policymakers appealing to enter the teaching profession?

If the state places enough demands on teachers' time and attention and if teachers perceive that they are given little credit for the work they do, then the state may experience negative effects. Examples of such negative effects could include erosion of the size and quality of the teacher workforce wherein teachers or potential teachers begin to favor professions that pay better, are more positively viewed, or both. Under these conditions, the state would run the risk of declines not only in the number of people who are willing to enter or remain in the profession, but also in the quality of the pool of prospective candidates.

Appendix A
Project Scope
June 2012

The Senate Education Committee has expressed interest in learning more about Idaho's public school teachers—a population of more than 15,000 who educate K–12 students in 115 districts and 43 charter schools across the state. The committee is particularly interested in studying what factors come together to bring quality teachers into classrooms and what factors keep them there.

During the 2012 session, on behalf of the Senate Education Committee, Chairman Goedde requested a study of teacher recruitment, retention, and attrition and a few other issues of interest to committee members. Senator Hammond then added a question about class size to the committee's request. On March 12, 2012, the Joint Legislative Oversight Committee approved the request, inclusive of Senator Hammond's addition.

Our evaluation will address each question and topic area presented in the request:

1. Educator recruitment – How do teachers find their way into this profession and why?

2. Teacher attrition – Why do teachers leave the profession, where do they go, and in what numbers?

3. Teacher retention – What keeps Idaho teachers in the classroom?

4. In the face of an aging teaching workforce and a growing population, what are Idaho's anticipated needs for future educators?

5. Are teachers graduating with the skills to be successful in today's classrooms and, if not, what are those deficiencies?

6. National statistics may support the theory that educators moving from one state to another lose about half their pension potential over their work careers. How does PERSI, Idaho's retirement system, treat educators moving from one pension system to another?

7. Identify the challenges and opportunities to attract new teachers and to retain current staff.

8. Provide a decade of historical data on the supply of educators versus job openings.
9. Because the ratio of students to certified staff does not necessarily reflect the number of students in a classroom, segregate certified teachers associated with a classroom and examine class size variations in Idaho.
10. Examine changes in duties of teachers and whether there are new burdens on time and attention created by a loss of community resource workers, counselors, and other support staff.

Projected completion date: January 2013

Appendix B
Survey of K–12 Public School Personnel

Purpose and Methods

In September 2012 we surveyed district and school personnel (specifically superintendents, principals, and teachers) to gather their perspectives on concerns that are of interest to policymakers (see study scope in appendix A).

We conducted ten interviews with district administrators across the state that helped inform the development of our survey. We pilot tested the superintendent and principal survey with a group of five superintendents, and we pilot tested the teacher survey with two current teachers, one former teacher, and a school counselor.

We e-mailed the survey to all superintendents and principals using a contact list provided by the Department of Education. Our e-mail asked principals to share the survey with their teachers. As a result, we received 2,826 survey responses: 84 superintendents, 256 principals, and 2,486 teachers. The survey results indicate that respondents are a diverse representation of a majority (about 72 percent) of Idaho districts and charters.

We automatically disqualified any district or school personnel who did not identify themselves as a superintendent, principal, or teacher from taking the survey. We purposely limited potential survey respondents to superintendents, principals, and teachers for two reasons:

1. These positions (and their basic descriptions and functions) are universal across districts. Other types of district administrators and certified school staff are inconsistent across districts and schools.

2. We did not have a complete contact list for any personnel except for superintendents and principals. No complete contact list for teachers exists. The Idaho Education Association maintains a list of their members' e-mail addresses, but this list does not include the addresses of teachers who are not members. However, because legislators expressed specific interest in learning more about teachers in the classroom, we decided to survey them by asking principals to forward the survey link to their teachers.

Limitations

We had some limitations to our survey:

- We chose to limit the final open-ended question to 50 words because the number of potential respondents to our survey was greater than 17,000 and office resources were not available to analyze lengthy responses for that large of a number.

- Given the varied nature of spam filters in districts and schools, we assume that some number of superintendents and principals did not receive our e-mail and link to the survey. We cannot quantify that number.

- Because a statewide list of teacher e-mails does not exist, we had to rely on principals to forward the survey link to their teaching staff.

- Our survey design criteria, particularly the criterion that outlined who was qualified to take the survey, could be classified as limited by those who expressed interest in taking the survey but did not qualify to do so.

Superintendent Responses

Please indicate the degree to which teacher turnover is a concern in your district. (N=84)

	Responses	Percentage of Respondents
Major concern	27	32
Somewhat of a concern	41	49
Not a concern	16	19

Please indicate which of the following teacher exit reasons are the most common in your district. Select up to three. (N=68)

	Responses	Percentage of Respondents
Retirement	41	60
Transfer to another district	35	51
Transfer to another school within my district	1	1
Transfer out of state	39	57
Personal reasons	7	10
Change of career	17	25
Reduction in force	12	18
Involuntary termination	4	6
Other, please specify	7	10

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Over the next two years, do you expect the number of open teaching positions in your district to be (N=84)

	Responses	Percentage of Respondents
Higher than average	32	38
Average	39	46
Lower than average	13	15

Note: Percentages do not sum to 100 because of rounding.

I expect the number of open teaching positions to be higher than average because of
Select all that apply. (N=32)

	Responses	Percentage of Respondents
Student growth	8	25
Teacher retirement	23	72
Voluntary turnover	13	41
Class size reduction efforts	3	9
Other, please specify	15	47

Note: Percentages do not sum to 100 because respondents could provide more than one response.

I expect the number of open teaching positions to be lower than average because of
Select all that apply. (N=13)

	Responses	Percentage of Respondents
Decreased student enrollment	4	31
Reduction in force	5	38
Anticipated low turnover	4	31
Other, please specify	5	38

Note: Percentages do not sum to 100 because respondents could provide more than one response.

During the hiring process, please indicate the degree to which your district has a sufficient pool of applicants for open teaching positions. (N=84)

	Responses	Percentage of Respondents
Our applicant pool is too small for most positions	37	44
We have a desirable number of applicants for most positions	14	17
We have an excessive number of applicants for most positions	1	1
The size of our applicant pool significantly varies depending on the type of position	32	38

During the hiring process, please indicate the degree to which your district has a quality pool of applicants for open teaching positions. (N=84)

	Responses	Percentage of Respondents
High quality pool	4	5
The quality of our pool is not particularly high or low, but generally meets our expectations	27	32
Low quality pool	12	14
The quality of our pool significantly varies depending on the type of position	41	49

Please indicate the degree to which your district generally has trouble finding qualified applicants to fill open teaching positions. (N=84)

	Responses	Percentage of Respondents
A lot of trouble	15	18
Some trouble in a few subject areas or specialties	63	75
No trouble	6	7

What are your district's most significant challenges in recruiting teachers? Select up to three. (N=84)

	Responses	Percentage of Respondents
Remote/rural location	42	50
Salary	64	76
Benefits package	20	24
Non-renewable contracts	3	4
Located near more competitive districts	29	35
Located near more competitive states	34	40
My district has no significant recruitment challenges	6	7
Other, please specify	6	7

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Please identify your district's hard-to-fill positions. Insert up to three. (N=80)

	Responses	Percentage of Respondents
Math	50	63
Music	10	13
Science	41	51
Special education	40	50
My district does not generally have hard-to-fill positions	5	6
Other	37	46

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Please indicate the degree to which teacher retention is a concern in your district. (N=84)

	Responses	Percentage of Respondents
Major concern	25	30
Somewhat of a concern	43	51
Not a concern	16	19

Which level of experienced teachers does your district have the most difficulty retaining? Select all that apply. (N=84)

	Responses	Percentage of Respondents
New teachers (0-2 years of experience)	29	35
Teachers frozen on the salary schedule	27	32
Midcareer teachers	18	21
Highly experienced teachers	14	17
No difference in the retention of teachers with different experience levels	27	32

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Please indicate the degree to which your district's teacher compensation package is competitive with neighboring districts, including districts in other states. (N=84)

	Responses	Percentage of Respondents
Competitive	21	25
Somewhat competitive	28	33
Not competitive	35	42

Please indicate the degree to which new teachers (0-2 years of experience) in your district are prepared to teach. (N=84)

	Responses	Percentage of Respondents
Most are prepared	48	57
Some are prepared, others are not	35	42
Most are unprepared	1	1

What is your overall level of satisfaction with new teachers (0-2 years of experience)? (N=84)

	Responses	Percentage of Respondents
Satisfied	59	70
Neither satisfied nor unsatisfied	21	25
Unsatisfied	4	5

Please indicate the degree to which class size (number of students per classroom teacher) is a concern in your district. (N=84)

	Responses	Percentage of Respondents
Major concern	20	24
Somewhat of a concern	34	40
Not a concern	30	36

What are the skills or credentials you would most like to see increased in new teacher hires? Select all that apply. (N=84)

	Responses	Percentage of Respondents
Multiple certifications and/or endorsements	64	76
Familiarity with technology	27	32
Ability to integrate technology into the classroom	45	54
Classroom management	50	60
Subject area expertise	35	42
I'm generally satisfied with the skills and credentials of new teachers	6	7
Other, please specify	11	13

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Please indicate the degree to which teachers in your district have experienced a change in duties due to a loss of support staff (such as paraprofessionals, duty aides, Community Resource Workers, counselors, etc.). (N=84)

	Responses	Percentage of Respondents
Significant change	40	48
Some change	34	40
No change	10	12

Principal Responses

What is the level of your school? (N=256)

	Responses	Percentage of Respondents
High school	62	24
Middle or junior high	44	17
Elementary	118	46
Other, please specify the grade range	31	12

Note: Percentages do not sum to 100 because of rounding.

Please indicate the degree to which teacher turnover is a concern in your school. (N=255)

	Responses	Percentage of Respondents
Major concern	45	18
Somewhat of a concern	107	42
Not a concern	103	40

Please indicate which of the following teacher exit reasons are the most common in your school. Select up to three. (N=152)

	Responses	Percentage of Respondents
Retirement	82	54
Transfer to another district	59	39
Transfer to another school within my district	20	13
Transfer out of state	68	45
Personal reasons	37	24
Change of career	39	26
Reduction in force	33	22
Involuntary termination	7	5
Other, please specify	15	10

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Over the next two years, do you expect the number of open teaching positions in your school to be (N=255)

	Responses	Percentage of Respondents
Higher than average	65	25
Average	123	48
Lower than average	67	26

Note: Percentages do not sum to 100 because of rounding.

I expect the number of open teaching positions to be higher than average because of
Select all that apply. (N=65)

	Responses	Percentage of Respondents
Student growth	10	15
Teacher retirement	30	46
Voluntary turnover	20	31
Class size reduction efforts	6	9
Other, please specify	33	51

Note: Percentages do not sum to 100 because respondents could provide more than one response.

I expect the number of open teaching positions to be lower than average because of
Select all that apply. (N=67)

	Responses	Percentage of Respondents
Decreased student enrollment	11	16
Reduction in force	17	25
Anticipated low turnover	41	61
Other, please specify	13	19

Note: Percentages do not sum to 100 because respondents could provide more than one response.

During the hiring process, please indicate the degree to which your school has a sufficient pool of applicants for open teaching positions. (N=255)

	Responses	Percentage of Respondents
Our applicant pool is too small for most positions	73	29
We have a desirable number of applicants for most positions	68	27
We have an excessive number of applicants for most positions	19	7
The size of our applicant pool significantly varies depending on the type of position	95	37

During the hiring process, please indicate the degree to which your school has a quality pool of applicants for open teaching positions. (N=255)

	Responses	Percentage of Respondents
High quality pool	47	18
The quality of our pool is not particularly high or low, but generally	85	33
Low quality pool	42	16
The quality of our pool significantly varies depending on the type of position	81	32

Note: Percentages do not sum to 100 because of rounding.

Please indicate the degree to which your school generally has trouble finding qualified applicants to fill open teaching positions. (N=254)

	Responses	Percentage of Respondents
A lot of trouble	34	13
Some trouble in a few subject areas or specialties	165	65
No trouble	55	22

What are your school's most significant challenges in recruiting teachers? Select up to three. (N=255)

	Responses	Percentage of Respondents
Remote/rural location	75	29
Salary	170	67
Benefits package	54	21
Non-renewable contracts	36	14
Located near more competitive districts	76	30
Located near more competitive states	88	35
My school has no significant recruitment challenges	34	13
Other, please specify	31	12

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Please identify your school's hard-to-fill positions. Insert up to three. (N=249)

	Responses	Percentage of Respondents
Math	82	33
Science	62	25
Special Education	118	47
My district does not generally have hard-to-fill positions	41	16
Other, please specify	130	52

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Please indicate the degree to which teacher retention is a concern in your school. (N=254)

	Responses	Percentage of Respondents
Major concern	38	15
Somewhat of a concern	114	45
Not a concern	102	40

Which level of experienced teachers does your school have the most difficulty retaining? Select all that apply. (N=253)

	Responses	Percentage of Respondents
New teachers (0–2 years of experience)	77	30
Teachers frozen on the salary schedule	64	25
Midcareer teachers	34	13
Highly experienced teachers	33	13
No difference in the retention of teachers with different experience levels	103	41

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Please indicate the degree to which your school's teacher compensation package is competitive with neighboring districts, including districts in other states. (N=254)

	Responses	Percentage of Respondents
Competitive	62	24
Somewhat competitive	107	42
Not competitive	85	33

Note: Percentages do not sum to 100 because of rounding.

Please indicate the degree to which new teachers (0–2 years of experience) in your school are prepared to teach. (N=253)

	Responses	Percentage of Respondents
Most are prepared	143	57
Some are prepared, others are not	101	40
Most are unprepared	9	4

Note: Percentages do not sum to 100 because of rounding.

What are the skills or credentials you would most like to see increased in new teacher hires? Select all that apply. (N=255)

	Responses	Percentage of Respondents
Multiple certifications and/or endorsements	91	36
Familiarity with technology	68	27
Ability to integrate technology into the classroom	115	45
Classroom management	172	67
Subject area expertise	73	29
I'm generally satisfied with the skills and credentials of new teachers	32	13
Other, please specify	50	20

Note: Percentages do not sum to 100 because respondents could provide more than one response.

What is your overall level of satisfaction with new teachers (0–2 years of experience)? (N=254)

	Responses	Percentage of Respondents
Satisfied	178	70
Neither satisfied nor unsatisfied	68	27
Unsatisfied	8	3

Please indicate the degree to which class size (number of students per classroom teacher) is a concern in your school. (N=254)

	Responses	Percentage of Respondents
Major concern	106	42
Somewhat of a concern	97	38
Not a concern	51	20

What is the average class size (number of students per classroom teacher) in your district? (N=247)

	Responses	Percentage of Respondents
Less than 10	1	0.4
10–11	2	0.8
12–13	3	1
14–15	8	3
16–17	7	3
18–19	4	2
20–21	19	8
22–23	29	12
24–25	57	23
26–27	42	17
28–29	28	11
30–31	19	8
32–33	13	5
34–35	10	4
36 or more	5	2

Note: Percentages do not sum to 100 because of rounding.

Please indicate the degree to which teachers in your school have experienced a change in duties due to a loss of support staff (such as paraprofessionals, duty aides, Community Resource Workers, counselors, etc.). (N=255)

	Responses	Percentage of Respondents
Significant change	122	48
Some change	112	44
No change	21	8

Teacher Responses

How many years have you been teaching in Idaho? (N=2,480)

	Responses	Percentage of Respondents
0–2	263	11
3–5	336	14
6–10	552	22
11–20	725	29
21–30	476	19
More than 30	128	5

What is your highest level of education? (N=2,484)

	Responses	Percentage of Respondents
Associate's degree	8	0.3
Bachelor's degree	628	25
Some graduate credits	805	32
Master's completed	350	14
Credit beyond masters	592	24
PhD (EdD) completed	19	0.8
Other, please specify	82	3

Note: Percentages do not sum to 100 because of rounding.

Which type of certification do you hold for your current position? (N=2,476)

	Responses	Percentage of Respondents
Regular	2,309	93
Provisional	35	1
Alternative, teacher to new	7	0.3
Alternative, content specialist	52	2
Alternative, ABCTE	56	2
Alternative, postbaccalaureate	7	0.3
No certification	10	0.4

Note: Percentages do not sum to 100 because of rounding.

What is your age? (N=2,479)

	Responses	Percentage of Respondents
29 or younger	289	12
30–39	556	22
40–49	690	28
50–54	375	15
55–59	341	14
60–64	191	8
65 or older	37	1

What is the level of your school? (N=2,487)

	Responses	Percentage of Respondents
High school	753	30
Middle/junior high	445	18
Elementary	1,065	43
Other, please specify the grade range	224	9

Which subject(s) do you teach? Select all that apply. (N=1,416)

	Responses	Percentage of Respondents
English (includes reading, writing, or language arts)	406	29
Math (algebra, statistics, geometry, calculus, etc.)	325	23
Science (biology, chemistry, physics, etc.)	290	20
Social studies (government, history, etc.)	283	20
Foreign language	57	4
Art	84	6
Physical education	95	7
Computers or other technology courses	115	8
Band, orchestra, music, choir	71	5
Professional/technical education	139	10
Special education	171	12
Other, please specify	230	16

Note: Percentages do not sum to 100 because respondents could provide more than one response.

In your current position, what is your average class size? (N=2,313)

	Responses	Percentage of Respondents
Less than 10	130	6
10–11	78	3
12–13	82	4
14–15	86	4
16–17	60	3
18–19	85	4
20–21	224	10
22–23	190	8
24–25	485	21
26–27	258	11
28–29	206	9
30–31	252	11
32–33	83	4
34–35	33	1
36 or more	61	3

Note: Percentages do not sum to 100 because of rounding.

How long have you taught in your current positions? (N=2,480)

	Responses	Percentage of Respondents
0–2 years	575	23
3–5 years	552	22
6–10 years	585	24
11–20 years	506	20
21–30 years	210	8
More than 30 years	52	2

Note: Percentages do not sum to 100 because of rounding.

Where did you hold your previous teaching position? (N=2,466)

	Responses	Percentage of Respondents
Same school, different position	412	17
Different school within the same district	570	23
Another school district within Idaho	525	21
Out of state	390	16
This is my first teaching position	569	23

Do you feel your job is secure? (N=2,483)

	Responses	Percentage of Respondents
No	566	23
Not sure	704	28
Yes	1,213	49

Do you plan to continue teaching in Idaho? (N=2,487)

	Responses	Percentage of Respondents
No	360	14
Yes	2,127	86

Are you likely to leave your current position to teach in another state? (N=362)

	Responses	Percentage of Respondents
Likely	192	53
Not sure	93	26
Unlikely	77	21

Are you likely to leave teaching for a different occupation? (N=362)

	Responses	Percentage of Respondents
Likely	158	44
Not sure	83	23
Unlikely	121	33

Are you likely to leave your current position to teach in another Idaho school within the same district? (N=2,129)

	Responses	Percentage of Respondents
Likely	118	6
Not sure	428	20
Unlikely	1583	74

Are you likely to leave your current position to teach in another Idaho district? (N=2,131)

	Responses	Percentage of Respondents
Likely	148	7
Not sure	425	20
Unlikely	1,558	73

Are you participating or have you participated in any kind of peer mentoring program while teaching in Idaho? Select all that apply. (N=2,487)

	Responses	Percentage of Respondents
Yes, I am mentoring someone or have mentored someone	1,212	49
Yes, I am being mentored or was mentored by someone	802	32
No	691	28

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Please indicate the degree to which your participation in a peer mentoring program is/was important to your professional development. (N=1,783)

	Responses	Percentage of Respondents
Important	1,064	60
Somewhat important	576	32
Not important	143	8

Are you eligible to retire? (N=2,487)

	Responses	Percentage of Respondents
Yes	230	9
No	2,200	88
Not sure	57	2

Note: Percentages do not sum to 100 because of rounding.

Why have you not retired? Select all that apply. (N=288)

	Responses	Percentage of Respondents
I enjoy teaching and am not ready to retire	152	53
I am waiting until my current position can be filled	4	1
I cannot afford to	152	53
Other, please specify	59	20

Note: Percentages do not sum to 100 because respondents could provide more than one response.

Please indicate the degree to which you have experienced a change in duties due to a loss of support staff (such as paraprofessionals, duty aides, Community Resource Workers, counselors, etc.). (N=2,467)

	Responses	Percentage of Respondents
Significant change	1,161	47
Some change	952	39
No change	354	14

SUBJECT

Accountability Oversight Committee Statewide Accountability System Recommendations

REFERENCE

October 2015	Accountability Oversight Committee presented recommendations to the Board regarding changes to be made to the state's accountability system, in preparation for submission of a new ESEA waiver
February 2016	Board received an update on the timeline for the Accountability Oversight Committee to bring recommendations forward
April 2016	Accountability Oversight Committee presented recommendations to the Board regarding removal of the ISAT proficiency and college entrance exam graduation requirements. The Board adopted the recommendation that the ISAT proficiency graduation requirement be removed and rejected the recommendation that the college entrance exam graduation requirement be removed.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section III.AA. Accountability Oversight Committee

Section 33-110, Idaho Code – Agency to Negotiate, and Accept, Federal Assistance

Idaho Administrative Code, IDAPA 08.02.02 – Section 111, Assessment in the Public Schools; IDAPA 08.02.02 – Section 112, Accountability; IDAPA 08.02.02 – Section 113, Rewards; and IDAPA 08.02.02 – Section 114, Failure to Meet Adequate yearly Progress (AYP); IDAPA 08.02.03 – Section 105.

BACKGROUND/DISCUSSION

The Accountability Oversight Committee (committee) was established in April 2010 as an ad-hoc committee of the Idaho State Board of Education to make recommendations to the Board on improvements to the statewide student achievement system and to report annually to the Board ono the effectiveness of the system. On December 10, 2015, President Obama signed the Every Student Succeeds Act (ESSA) reauthorizing the Elementary and Secondary Education Act of 1965. Pursuant to ESSA, states must implement new accountability systems aligned to the law by the 2017-2018 school year.

In January 2016, the Policy, Planning and Governmental Affairs Committee charged the Accountability Oversight Committee with bringing forward recommendations to the Board that were in alignment with the Task Force recommendations for a new state accountability system (Recommendation 5 – 2013) and would meet the federal accountability requirements. This charge

included gathering input from all education stakeholders with the goal of having a recommendation ready in time for the Board to consider the recommendation and test those parts of the recommendation that are during the 2016-2017 school year prior to holding districts accountable to them in the 2017-2018 year, as required by ESSA.

The committee sought out expert guidance and stakeholder feedback throughout the process of developing their recommendations. The committee's report is provided as Attachment 1; a summary of recommendations by topic follows:

Performance Measures

- An accountability system that includes indicators which meet the requirements for federal accountability and additional state indicators to be provided on a data dashboard that present a well-rounded picture of school performance
- Separate indicators for three (3) types of schools: Elementary and Middle Schools, High Schools, and Alternative High Schools (please see the full report for the committee's recommendations of indicators appropriate for each school category)

High School Assessment and Graduation Rate Calculations

- Transition the accountability assessment (ISAT by Smarter Balanced) for high school to 11th grade administration
- Adjust the graduation rate calculation by extending the period for students to complete graduation requirements through the summer

Student Growth Calculations

- The State Department of Education should work closely with members of the Idaho Assessment Technical Advisory Committee to identify and recommend a new model for calculating student growth

Scoring and Reporting

- Data regarding schools' performance on all accountability indicators should be presented publically on an interactive online data dashboard; however, the dashboard should not include a summative score or performance rating

The draft accountability system recommended by the committee, particularly the indicators designated for use for federal accountability, is compliant with ESSA requirements. However, the committee's recommendation to not publically post a summative rating or score for all schools conflicts with the proposed regulations released in May by the U.S. Department of Education. The committee would like to provide feedback regarding the regulations, as the committee members feel that the proposed data dashboard is in compliance with the ESSA and its intent and hopes that the U.S. Department of Education will adjust the regulations before they are finalized.

IMPACT

Adoption of the recommendations will provide Board staff with the details needed to finalize administrative rules regarding the state's comprehensive assessment system and accountability requirements.

ATTACHMENTS

Attachment 1 – Accountability Oversight Committee K-12 Statewide Accountability System Recommendations Report Page 7
Attachment 2 – Chairperson Comments Page 21

STAFF COMMENTS AND RECOMMENDATIONS

At the April 2016 regular Board meeting the Board was asked to consider the removal of the Idaho Standards Achievement Test (ISAT) proficiency and college entrance exam (ACT or SAT) graduation requirements. These recommendations were brought forward in advance of the accountability system recommendations so that any action taken by the Board could be implemented through the administrative rule promulgation process this year, as the requirements are contained in Idaho Administrative Code, IDAPA 08.02.03.105. At that time the Board adopted the recommendation to remove the ISAT proficiency graduation requirement and rejected the recommendation to remove the requirement that a student take a college entrance exam, returning the recommendation to Accountability Oversight Committee.

The current state graduation requirements require, in addition to a minimum number of credits in specific content areas, that each student show proficiency through achievement of a "proficient" or "advanced" score on the grade 10 Idaho Standards Achievement Test (ISAT) in math, reading and language usage (or an alternate route established by the school district), and that all students take a college entrance exam in grade 11. Additional provisions exist for students who miss the state administration of the college entrance exam in grade 11. The Board will be considering an amendment to IDAPA 08.02.03.106.06, Proficiency, removing the proficiency requirement as a separate agenda item during the August 2016 Board meeting.

The state Comprehensive Assessment System and state accountability requirements are contained in IDAPA 08.02.03.111-113. Amendments to these sections in alignment with the proposed Committee recommendations will be presented to the Board as a separate agenda item. Based on Board consideration of the Committee's recommendations, changes may need to be made to the proposed rule prior to Board consideration at the August Board meeting. The state rulemaking timelines require that Notices of Intent be published prior to the development of any new or proposed rules in a timely manner that allows for public input prior to the Board considering any proposed amendments or new administrative rules. For proposed rules to make it through the rulemaking process in a given year the Board must take action on the proposed changes at the August Board meeting. The Board cannot take action on something that has not been properly noticed (unless it meets one of the limited exemptions for notice of intent).

The existing assessment program requires the ISAT be administered to students in grades 9 and 10, and as applicable to students in grade 11. The Committee recommendations would move the required administration of the ISAT to grade 11. This would result in the required participation rate being calculated from those students in grade 11 taking the ISAT.

The current college entrance exam requirement was added as part of the High School Redesign Initiative of the Board in 2003. This initiative increased the rigor of the state's high school graduation requirements by increasing the number of credits required in math and science, requiring senior projects be completed, requiring that math be taken during the senior year, and requiring that students take a college entrance exam to graduate. While not fully realized, the initiative also contemplated moving toward a standards-based approach rather than the prior seat time credit requirement. This included using end of course assessments and standards-based portfolios and examinations for determining proficiency in the standards to graduate and expanding the ISAT science assessment to every grade level. The current college entrance exam requirement allows students to choose between the ACT or SAT. Based on the state procurement and bidding processes, the state was able to procure favorable terms for the statewide administration of the SAT. This allows the state to pay for all students to take the SAT on the statewide "test day" at no cost to the student. Students may choose to take the assessment at that time at no cost to them or they may take it on a different day, or they may choose to take the ACT at their own expense. The ACT and the SAT provide fee waivers to certain eligible students and some school districts pay the cost of the student to take the ACT if they choose. The current graduation requirement allows the student to choose which assessment they take.

The requirement to take a college entrance exam was based in part on research from other states that showed just taking the exam had helped to increase the number of students going on to postsecondary education. Additional data showed that college entrance exams were a barrier to students going on to college when the students came from homes where they were the first individual in the family to go on to a postsecondary education or came from families that did not value postsecondary education. These students often did not have the support or the information needed to understand the importance of taking a college entrance exam and were less likely to voluntarily take the exam. Requiring all students take a college entrance exam reached this group of students as well as students that chose not to take the exam because they did not think they would be successful.

By requiring the exam be taken in grade 11, students who initially did not do well on the exam could use the exam to identify areas that needed improvement and then retake the exam during their senior year. Those students that did well on the exam in grade 11 were able to use the exam in completing initial college entrance and scholarship applications. The High School Redesign Initiative was adopted by the Board in 2004. Following additional public and legislative input, initiative

components were refined with final Administrative Code amendments adopted by the Board in 2005 and approved by the Legislature in 2006. This initiative was also accompanied by significant budget requests starting in FY 2007. Due to the college entrance exam being a graduation requirement, the Board and the State Department of Education were successful in winning legislative support for state funding to cover the cost for all students to take the college entrance exam (based on a statewide contract). The first graduating class subject to the college entrance exam requirement was the class of 2012. The impact of this requirement on Idaho's Go On rate is unknown due to the limited number of student cohorts that have graduated since the requirement went into effect. Additional benefits that were not contemplated as part of the original initiative have been the ability to use the college entrance exam to identify students for the Direct Admissions initiative and the recommendation from the Governor's Taskforce subcommittee on Accountability and Autonomy that the college entrance exam being used as one of the standard performance measure used by all school districts (as applicable) in their continuous improvement plans. If students were not required to take a college entrance exam, one of the two (2) prongs currently used for admissions under the Board's Direct Admission program would be lost, and fewer students might see postsecondary education as a viable option.

The framework provided as Appendix B to the Accountability Oversight Committee's Recommendations was developed by Idaho higher education faculty, high school counselors, school administrators and State Department of Education staff in the spring and summer of 2014 and is an example of how the ISAT could be used for identifying remediation needs and placement at the postsecondary level. The framework has not been adopted by the Board and based on changes to available assessments, and the discontinuance of the Compass by ACT, would need to updated prior to consideration of it use. At this time it should only be used as an example of what could be done in this area.

BOARD ACTION

I move to adopt the Accountability Oversight Committee's recommendations regarding the statewide accountability framework model as presented in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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Accountability Oversight Committee
K-12 Statewide Accountability System Recommendations

Members and Past Members Involved in Developing these Recommendations:

Linda Clark	Current Member (Ex-officio)	Member, State Board of Education
Debbie Critchfield	Current Member (Ex-officio)	Member, State Board of Education
Pete Koehler	Current Member (Ex-officio)	Deputy Superintendent, State Department of Education
Julian Duffey	Current Member (5/19/16 - 6/30/18)	Special Education Director, Bonneville Joint District
John Goedde	Current Member (7/1/15 - 6/30/17)	Former Idaho State Senator and School Board Trustee, Coeur d'Alene District
Roger Stewart	Current Member (5/19/16 - 6/30/18)	Professor, College of Education, Boise State University
Jackie Thomason	Current Member (7/1/15 - 6/30/17)	Chief Academic Officer, West Ada District
Spencer Barzee	Past Member (7/1/14 - 6/30/16)	Superintendent, Westside District
Deborah Hedeen	Past Member (7/1/15 - 4/19/16)	Dean, College of Education, Idaho State University
Alison Henken	Staff Support	K-12 Accountability & Projects Manager, Office of the State Board of Education

Subcommittee Charge:

To provide recommendations regarding the re-development of the statewide K-12 school accountability system.

Guiding Principles:

We support an accountability system that:

1. Includes multiple measures which provide meaningful, trustworthy data and aid schools in building a culture of student achievement and school improvement.
2. Reports results responsibly to accurately depict student achievement.
3. Is flexible in its application to school design and considers schools' unique situations.

Recommendations

The Accountability Oversight Committee has undergone a substantial process to develop its recommendations. Over the course of eleven (11) meetings, from January to June 2016, the group met for over 48 hours.

The committee sought stakeholder feedback and guidance from experts throughout the process of developing the accountability framework. In February, the Accountability Oversight Committee participated in a video conference with an expert from the Education Commission of the States (ECS) regarding national trends in accountability. On March 7th, the following stakeholder groups provided in-person feedback to the committee: Idaho Association of School Administrators, Idaho School Boards Association, Virtual School Leaders, Public Charter School Commission, State Department of Education, and Senate Education Committee Chair, Dean Mortimer. The Idaho Education Association and Northwest Professional Educators were also invited to participate; both chose to send their feedback in writing due to time constraints. The Accountability Oversight Committee invited staff from the State Department of Education and the Division of Professional-Technical Education to provide information and expertise related to accountability for specialized schools and subgroup populations. The committee also facilitated a phone call with members of Idaho's Technical Advisory Committee to gather their feedback on the indicators under consideration.

In May, the Accountability Oversight Committee released the Draft Accountability Framework and an accompanying online survey to gather public feedback. The Office of the State Board of Education issued a press release about the survey and worked with stakeholder groups to encourage participation of educators (K-12 and higher education), parents, legislators, and community members. A total of 776 Idahoans responded to the survey. Analysis of the survey results was extensive and detailed, and was used by the committee as a source of information when the committee was making final decisions regarding which indicators to recommend for inclusion in the accountability framework. The majority of the recommendations are in alignment with the feedback received. The analysis report can be made available at the Board's request.

Utilizing the information and knowledge gained through this process, the Accountability Oversight Committee makes the following recommendations:

1. **We recommend the state use the Idaho Standards Achievement Test (ISAT) by Smarter Balanced for statewide accountability for administrations in grades 3-8 and 11.**

    a. We recommend shifting the administration of the high school accountability assessment (ISAT by Smarter Balanced) from 10th to 11th grade.

    - The Smarter Balanced assessment was designed for high school administration in 11th grade. Shifting Idaho's administration to 11th grade will put us in alignment with the recommendations of the Smarter Balanced Assessment Consortium, will ensure appropriate use of the assessment, and will ensure the most valid results possible. Additionally, it will allow comparability between Idaho's high school assessment results and those of other states administering the Smarter Balanced Assessment.

- Since it is closer to the end of a student's high school career, 11th grade is a more appropriate year for accountability than 10th grade.
- Shifting the ISAT by Smarter Balanced to the 11th grade will allow the Office of the State Board of Education to re-engage in work previously done with the state's higher education institutions to establish a framework that will allow use of ISAT by Smarter Balanced scores for course placement. The draft framework is provided as Appendix B. Establishing use of ISAT by Smarter Balanced scores for college placement will increase the value of the assessment for students.

b. We recommend that the ISAT by Smarter Balanced be administered statewide in high school only for the required accountability year (11th grade) and that additional required administrations be removed from Administrative Code.

- We recommend that appropriate ongoing monitoring and interventions for students who do not demonstrate proficiency in 8th grade be determined and implemented at the local level.
- We recommend that the state consider including an 8th to 11th grade ISAT growth calculation on high school data dashboards in the future. To determine whether this calculation is appropriate and valid, data modeling using ISAT by Smarter Balanced data should first be completed.

2. We recommend the state adopt an accountability model that includes separate indicators for Elementary and Middle Schools (K-8), High Schools, and Alternative High Schools, as outlined in Appendix A.

a. The Elementary and Middle Schools (K-8) category will include all schools who do not have a 12th grade.

b. The High Schools category will include all non-alternative schools who have a 12th grade.

c. The Alternative High Schools category will include all schools who have a 12th grade and have been designated as an alternative school by the Idaho State Department of Education.

3. We recommend the state adopt an accountability framework that includes indicators to be used for federal accountability and additional state measures to be included on schools' data dashboards, as detailed in Appendix A.

4. We recommend the state adopt a new model for calculating student growth.

a. The Student Growth Percentile model used in the state's Star Rating system was complex, making it difficult to effectively explain to families and stakeholders.

b. We recommend the State Department of Education work closely with members of Idaho's Technical Advisory Committee to identify a model that balances validity of results with ease of understanding by educators, parents, and the public.

5. **We recommend that the graduation rate calculation be adjusted by extending the period for students to complete graduation requirements through the summer.**

   a. This would ensure that students who complete graduation requirements during the summer after their senior year and, therefore, graduate in that year are included as a completer in the school's graduation rate.

   b. This is a logical change, as it will result in the period for the current cohort ending when the new cohort begins.

6. **We recommend that school performance data for all accountability indicators be provided to the public on a data dashboard, but that the dashboard not include a single, summative score or performance rating.**

   a. The committee recognizes the following issues with publically assigning summative performance scores (such as 1 to 5 Stars) to schools:

      - School design and demographics have an impact on how likely a given school's students are to perform well in proficiency or growth categories (for instance, schools with many high performers typically see less growth in a given year than those with more struggling students). As a result, it is impossible to establish one process for weighting proficiency and growth measures that is appropriate for all schools. This increases the likelihood that schools will be misidentified. Furthermore, by weighting categories at the state level for the purposes of giving schools a summative score, schools will be inclined to focus on the areas that are emphasized by the state, rather than identifying the areas of focus that best fit their schools' needs and design.

      - Summative performance scores are broad categories, which results in a watering down of the actual results. For instance a 2 Star school might be at the bottom of that category one year and at the top of the category the next year. The tendency of the public is to see the school as a 2 Star school and to not recognize the improvement made.

   b. The committee recognizes that the indicators used for federal accountability will need to be combined in some manner in order to identify schools for comprehensive support and improvement and targeted support and improvement. However, the committee does not recommend that schools' score or rating be included on the data dashboard or school report card, or otherwise publically reported.

7. **We recommend that school report card data be presented online in a manner that is clear, user-friendly, and interactive.**

   a. We recommend that an interactive dashboard be used in order to allow stakeholders to easily view summary data while also being able to dig deeper into the data in order to more fully understand schools' performance. For instance, the summarized proficiency data for all students would be presented on the dashboard, but the user could click on the summary image and be guided to other data that could be viewed, such as the proficiency by grade or subgroup, or comparisons to district or statewide averages.

   b. We recommend that the school report card include a hyperlink to schools' local report cards and/or performance measures.

Appendices

A. **Idaho K-12 Accountability System Framework, June 2016**
B. **ISAT by Smarter Balanced High School to Postsecondary Transition Framework**

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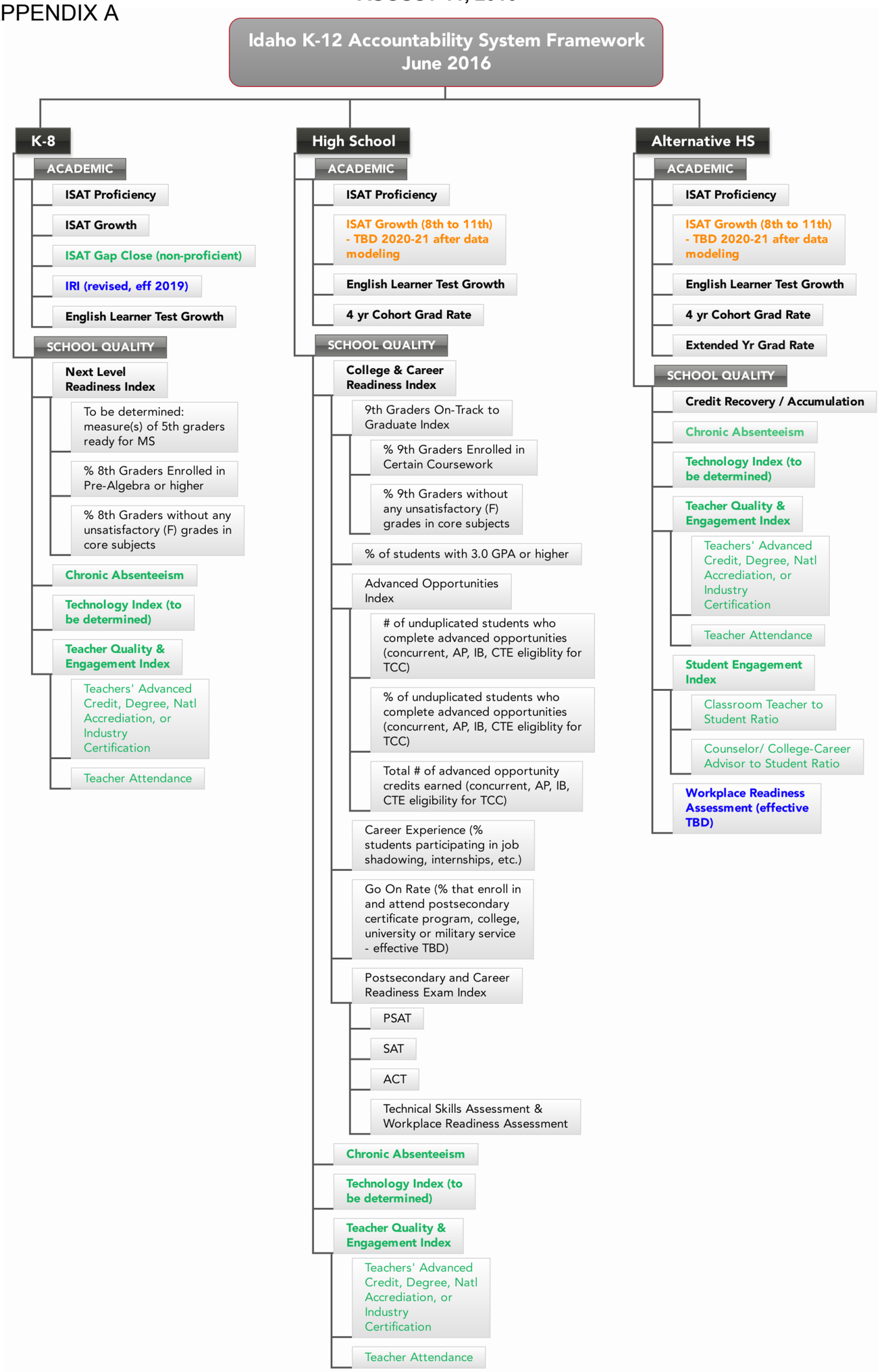
APPENDIX A



KEY

- AOC recommends including this measure on the data dashboard and using it to meet federal requirements
- AOC recommends including this measure as a state measure and including it on the data dashboard
- AOC recommends using this measure as a state measure when data is available and including it on the data dashboard at that time
- AOC recommends considering including this measure at a later time, pending data modelling when appropriate data is available

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APPENDIX A

Definitions and Additional Information

Term	Current or Proposed Definition	Additional Information
AP	Advanced Placement	
Chronic Absenteeism	Students with less than 90% attendance	
CTE Eligibility for TCC	Career Technical Education students eligible for Technical Competency Credit	Students will be recognized for being eligible for Technical Competency Credit even if they choose not to have it transcripted.
English Learner Test	The WIDA / ACCESS test that is given to students who are learning English	AOC recommends using the same growth model for this indicator as the growth model used for ISAT growth for K-8.
Extended Year Graduation Rate	A calculation that uses the 4 year cohort but allows one additional year for students to graduate	
IB	International Baccalaureate	
IRI	Idaho Reading Indicator	AOC recommends waiting to include this indicator until a new assessment is in place.
ISAT	Idaho Standards Achievement Test	
ISAT Proficiency	Students who have scored proficient or higher on the ISAT, demonstrating appropriate grade-level knowledge	AOC recommends using an index that gives the school partial weight to students who score basic (i.e. 0.5 for each student), full credit for students who score proficient (i.e. 1.0 for each student) and above full credit for students who score advanced (i.e. 1.25), as this encourages schools to support students in continuing to move forward.
ISAT Gap Close (non-proficient)	A measure that examines whether students who are not proficient on the ISAT (as a group) are making appropriate progress to close their achievement gap within an established period of time	
ISAT Growth	A measure that considers how much knowledge students have gained, as demonstrated by their score on the ISAT	
Technology Index	An index that would measure the availability and use of technology in schools	Specific measures to include in this index have not yet been determined; the committee recommends including it, but leaves determination of exact measures to the SDE / other work groups. The AOC recognizes that this indicator may need to be added at a later date (after the 2017-2018 school year).
Workplace Readiness Assessment	An assessment currently used in the state's career-technical programs that measures whether a student is well-prepared to be successful in the workforce	The assessment is not currently used at Alternative High Schools. Based on stakeholder feedback and the committee's review, the AOC recommends the state pay for this assessment to be administered to all alternative high school students and included it in the accountability system as a state measure.

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APPENDIX B

Spring 2014 Recommendations from Idaho Higher Education Faculty and Staff, High School Counselors, School Administrators and Department of Education Staff for using the ISAT by Smarter Balanced 11th Grade Assessment, SAT, ACT, and Compass for Initial Course Placement Decisions by Idaho Institutions of Higher Education[1]

Introduction and Background

Idaho is a member of the *Smarter Balanced Assessment Consortium* (SBAC). SBAC assessments in Idaho will be administered in grades 3-8 and once in high school. It is important to note that the transition frameworks proposed below assume high school students take the assessment in 11th grade. Students in the testing grades will be given summative assessments each spring in English Language Arts (ELA) and mathematics. The final summative SBAC assessment in the spring of 11th grade is considered a measure of college and career readiness. Because of this, SBAC developed a four-tiered framework articulating the degree to which a student is considered college ready at the time of 11th grade testing. Following is a description of the four tiers taken from the SBAC College Content-Readiness Policy. Please note that remedial course work in this context means noncredit-bearing college course work in ELA or mathematics taken prior to enrolling in an entry-level college credit-bearing course:

- Level 4 Exempt—upon entry into college student is exempt from remedial course work. K-12 and higher education officials may jointly set Grade 12 requirements to maintain the exemption.
- Level 3 Conditionally Exempt—student is conditionally exempt from remedial course work, contingent on evidence of sufficient continued learning in Grade 12.
- Level 2 Partial Understanding—student needs support to meet college content-readiness standard.
- Level 1 Minimal Understanding— student needs substantial support to meet college content-readiness standard.

It is important to note that SBAC leaves it up to individual member states to decide what Grade 12 requirements there will be, if any, to maintain Exempt status. SBAC also leaves it up to individual member states to decide what evidence will be required of students during Grade 12 to move from Conditionally Exempt to Exempt status by the end of Grade 12. And finally, individual member states also decide what supports to provide those students at Levels 1 and 2.

In order to begin discussions around these important decisions, a work group led by Idaho's delegation to the SBAC – K-12 Lead, Higher Ed Lead, and Higher Ed Delegate – and consisting of representatives from public higher education institutions, high schools, the Office of the State Board of Education and the State Department of Education convened to draft recommendations regarding the use of the Smarter Balanced 11th grade assessment, the SAT, the ACT, and the Compass in the postsecondary initial course placement process. SAT, ACT, and Compass assessments were included in the discussions because Idaho requires a college entrance examination be taken prior to graduation from high school.

Timetable/Feedback Process

The work group held near-weekly meetings throughout summer 2014. This document represents the consensus of the group and is thus being submitted to the Chief Academic Officer of the

Idaho State Board of Education so that the comment, revision, and approval process can commence. The work group wants to underscore several important points that need to be taken into consideration as the framework is vetted by a diverse group of stakeholders:

- The SBAC levels are best guesses at this point. The SBAC is a new assessment and has not had predictive validity studies conducted on it at this time. Thus, Idaho needs to undertake such studies to verify that the levels are valid indicators of how ready students are for college;

- The SAT, ACT, and Compass* scores found in the framework are an amalgam of cut scores taken from all eight higher education institutions in Idaho. Currently, the cut scores are under review by the State Board of Education. Once the State Board of Education arrives at new cut score criteria, then those will replace what is currently found in the frameworks. The predictive validity studies mentioned above should also include SAT, ACT, and Compass scores so that Idaho has empirical evidence underpinning the important decisions made based on these scores;

- The GPA's found in the frameworks are based on existing research and the professional opinions of work group members. Predictive validity studies are needed for these cut scores also;

- The committee recommends that the frameworks be approved for a three year trial period during which the above mentioned predictive validity research will be conducted along with the collection of valid and reliable stakeholder feedback about the frameworks and their operationalization. At the conclusion of the three year period, the frameworks should be revisited and revised based on the empirical evidence that has been collected;

- The committee recommends that a work group be immediately formed to develop a framework for how college readiness transition courses will be incorporated into Idaho high school curricula. The committee suggests that a two tiered framework be developed. One tier would reflect what should be done within the existing resources currently found in Idaho high schools. The other tier would reflect what should be done if additional resources are made available. This is an important point because many Idaho high schools will find it difficult to incorporate new courses into their high school schedules without additional resources because of staffing constraints, scheduling constraints, etc.

- The committee recommends that a work group be immediately formed to develop a framework for how students scoring below Level 3 who are not yet prepared for the above mentioned transition courses will be served so that they achieve at least Level 3 upon high school graduation. A two-tiered framework similar to that mentioned immediately above is recommended. One tier reflecting what should be done now within current resources and another articulating what should be done if additional resources become available. But the committee warns against developing a remedial course structure at the high school level that mirrors what has been developed over the past decades at the collegiate level. Such a

* The Compass was discontinued in 2015 by ACT and is no longer available.

structure fails to address the systemic problem of under-preparation of students which usually starts much earlier than high school. A more productive approach would be a long term solution that improves the entire prek-12 pipeline that includes earlier identification and intervention instead of waiting until high school to try to bring students to criterion. Such a responsive and robust prek-12 system is what the *Complete College Idaho Plan* calls for, and such a system will be essential for Idaho to achieve its 60% goal by 2020. It is likely, however, that developing, implementing, tuning, and sustaining this system will require additional resources in both the short and long term.

Following are two tables containing the four-tiered frameworks. One table illustrates the mathematics framework and the other illustrates the ELA framework.

Proposed Mathematics Framework

11th Grade Mathematics Performance		
Performance Level*	**Student Status and Conditions**	**Additional Comments**
Level 4: Exempt **SBAC**: Level 4; or **SAT Math:** 521-610; or **ACT Math**: >23; or **Compass**:** ≥ 61 Algebra or 45-48 College Algebra; or **Transcript**: Completion of AP math course with 3 or better score on test **Note:** SAT, ACT and Compass cut scores are currently under review by the SBOE (See Note 1)	Exempt from courses with a noncollege level prerequisite (Note: Math 108 is not considered college level.). **Maintaining Level 4 Exempt**: Complete post-Algebra II or post-Integrated Math 3 course in senior year with a minimum grade of B.	➢ These criteria basically define a student ready for Math 123, Math 130, Math 143, Math 147, or an entry level statistics course. ➢ Students are expected and should be advised to take dual credit general education math courses and other opportunities for earning college credit during 12th grade.
Level 3: Conditionally Exempt **SBAC**: Level 3; or **SAT Math**: 471-520; or **ACT Math**: 19-23; or **Compass**: 41-60 Algebra or 0-44 College Algebra	Exempt from remediation for placement into Math 123: Liberal Arts Math (Note: Other local exceptions might apply.). **Achieving Level 4 Exempt**: Complete post-Algebra II including post-Integrated Math 3 course in senior year with a minimum grade of B or retest at Level 4 or successfully complete an Idaho-approved math college readiness transition course or successfully complete a dual credit general education math course. (See Notes 2 & 3) **Maintaining Level 3 Conditionally Exempt:** Complete post-Algebra II or post-Integrated Math 3 course in senior year with a passing grade.	➢ These criteria basically define a student ready for Math 123 or other similar courses unique to individual campuses.
Level 2: Needs Support **SBAC**: Level 2; or	Not exempt from remediation. **Achieving Level 3 Conditionally Exempt**: Complete math course in	➢ These criteria basically define a student ready for Math 025.

** The Compass was discontinued in 2015 by ACT and is no longer available.

SAT Math: 390-470; or **ACT Math**: 16-18; or **Compass**: 26-40 Algebra or 53-99 Pre-Algebra	senior year (Algebra II or higher or equivalent math pathway) with a minimum grade of B or retest at Level 3.	
Level 1: Needs Substantial Support **SBAC**: Level 1 or **SAT Math**: <390; or **ACT Math**: <16; or **Compass**: <53 Pre-Algebra (See Note 4)	Not exempt from remediation. Additional placement information determined by local post-secondary institutional processes needed for all entry-level courses. If student retests and earns a higher score then he/she follows that level of rubric.	➢ These criteria basically define a student positioned below Math 025. ➢ Post-high school students should consider enrolling in an adult basic education program for support and guidance.
Placement options apply to students who…	Go directly into higher education after high school**,** i.e., the fall term of the academic year following their high school cohort graduation.	

* No matter the student's performance level, he or she is expected to take an appropriate math course during the 12th grade.

Notes to Mathematics Table:

1. The SAT, ACT, and Compass criteria are taken from Idaho public higher education institutions. Currently cut scores for these assessments vary by institution. Thus, the scores listed here are an amalgam of these institutions' current cut scores for entry into various levels of mathematics. Importantly, the cut scores are currently under review by the Idaho State Board of Education. Once the revised scores are available, they will replace those in the current framework.

2. The 11th-12th Grade College Readiness Framework Committee recommends that a work group be formed to explore college readiness transition courses with the goal of articulating in greater detail how these should be operationalized in Idaho.

3. State Board Policy 3Y underscores the importance of high school advisors being actively involved as students select dual credit courses. It also states that parents need to be informed about dual credit courses and the benefits and potential pitfalls from their son or daughter enrolling in such courses. For students scoring at Level 3, general education dual credit courses may present formidable academic challenges. Thus, advisors should help students carefully select such courses while keeping parents and caregivers apprised of the selections being made and the underlying rationale for them.

Proposed English Language Arts (ELA) Framework

11th Grade English Language Arts Performance		
Performance Level*	**Student Status and Conditions**	**Additional Comments**
Level 4: Exempt **SBAC**: Level 4; or **SAT Critical Reading:** 450-560; or **ACT English:** 18-24; or **Compass Writing:** 70-94; or	Exempt from non-credit-bearing course work. Placement into entry college-level English course (including but not limited to English Composition or its equivalent).	➢ Students are expected and should be advised to take dual credit and other opportunities for earning college credit during 12th grade. ➢ These criteria basically define a student ready for at least ENG

Transcript: Completion of AP English Language and Composition with 3 or better score on test or dual credit 1st year writing course (See Note 1) **Note:** SAT, ACT and Compass cut scores are currently under review by the SBOE (See Note 2)	**Maintaining Level 4 Exempt**: Complete one or more senior level writing courses (See Note 1).	101P or ENG 101.
Level 3: Conditionally Exempt **SBAC**: Level 3; or **SAT Critical Reading**: 200-449; or **ACT English:** <18; or **Compass Writing**: 47-69	Exempt from remediation for placement into "co-requisite" or "supported" entry college-level English course (including but not limited to English Composition or its equivalent, e.g., ENG 101/192, ENG 101P). **Achieving Level 4 Exempt**: Complete a two semester senior level writing course with minimum grades of B or retest at Level 4 or successfully complete an Idaho-approved ELA college readiness transition course or successfully complete dual credit 1st year writing course or complete AP English Language and Composition with 3 or better score on test. (See Notes 3 & 4). **Maintaining Level 3 Conditionally Exempt:** Complete senior level English course.	➢ These criteria basically define a student ready for ENG 101/192, ENG 101P, or equivalent.
Level 2: Needs Support **SBAC**: Level 2; or **SAT Critical Reading**: <200; or **ACT English:** <18; or **Compass Writing**: 16-46	Not exempt from remediation. **Achieving Level 3 Conditionally Exempt**: Complete senior level English course with a minimum grade of B or retest at Level 3.	➢ Post-high school students should consider enrolling in an adult basic education program for support and guidance.
Level 1: Needs Substantial Support **SBAC**: Level 1; or **SAT Critical Reading**: <200; or **ACT English:** <18; or **Compass Writing**: <16	Not exempt from remediation. Additional placement information determined by local post-secondary institutional processes needed for all entry-level courses. If student retests and earns a higher score then he/she follows that level of rubric.	➢ Post-high school students should consider enrolling in an adult basic education program for support and guidance.
Placement options apply to students who…	Go directly into higher education after high school**,** i.e., the fall term of the academic year following their high school cohort graduation.	

* No matter the student's performance level, he or she is expected to take an appropriate ELA course during the 12th grade.

Notes to ELA Table:

1. AP English Language and Composition is specified instead of AP English Literature and Composition because of the need for high school level courses focused on the elements of writing instead of courses focused on analysis and interpretation of literature. It is usually the case that high school senior

English courses do not incorporate as intense a focus on writing as that found in entry level credit bearing English courses in college, causing many students to enter college not having had experience in writing intensive courses. This misalignment between high schools and colleges is a significant problem. Thus the committee recommends that AP English Language and Composition be designated because of its greater emphasis on the elements of writing. The committee also recommends that efforts be immediately initiated to align curricula and instruction between high schools and colleges so that consistent expectations around writing are communicated to students beginning as early as possible in the secondary grades. This will require high school curricula include more writing intensive courses. We make this recommendation with full understanding that building such courses into secondary schools will come with significant costs, but we believe these costs must be born since not doing so will only perpetuate the misalignment. We also recommend that Idaho higher education faculty who have direct responsibility for first year writing courses, both their administration and teaching, be key partners with their secondary English education counterparts in alignment efforts. The higher education faculty look forward to conversations and sustained professional development with their secondary education colleagues.

2. The SAT, ACT, and Compass criteria are taken from Idaho public higher education institutions. Currently cut scores for these assessments vary by institution. Thus, the scores listed here are an amalgam of these institutions' current cut scores for entry into various levels of English. Importantly, the cut scores are currently under review by the Idaho State Board of Education (SBOE). Once the revised scores are available, they will replace those in the current framework. Additionally, Idaho higher education institutions along with the SBOE are transitioning into employing initial course placement frameworks that emphasize multiple measures. College Readiness Framework Committee members thus wish to emphasize that institutions are rapidly moving away from relying on single assessment scores for initial course placement and wish to underscore the importance of multiple measures in first year writing course placement decisions.

3. The 11th-12th Grade College Readiness Framework Committee recommends that a work group be formed to explore in greater detail college readiness transition courses with the goal of articulating in greater detail how these should be operationalized in Idaho.

4. State Board Policy 3Y underscores the importance of high school advisors being actively involved as students select dual credit courses. It also states that parents need to be informed about dual credit courses and the benefits and potential pitfalls from their son or daughter enrolling in such courses. For students scoring at Level 3, general education dual credit courses may present formidable academic challenges. Thus, advisors should help students carefully select such courses while keeping parents and caregivers apprised of the selections being made and the underlying rationale for them.

[1]Some language in this document is taken from the State of Washington's document entitled "Introduction to the Draft Recommendations for the Use of the Smarter Balanced 11th Grade Assessment by Washington Institutions of Higher Education." The document was circulated to all Smarter Balanced Assessment Consortium Higher Education Leads during winter, 2014. We wish to thank Washington for allowing us to draw from their work.

Chairperson Comments

Planning Policy and Governmental Affairs Committee Chairman's comments about the recommendation to remove/alter the existing college placement exam.

In making this recommendation, the intent of the committee was to add a high level of flexibility for high school juniors to:

1) Differentiate based on students for post high school plans
2) Minimize the pressure of the 11th grade accountability year (the current recommendation moves the ISAT to the 11th grade)

The committee was mostly concerned that the statewide SAT day was not a one size fits all. The group recognizes and endorses the need to remove financial barriers for all students and the positive effects of having students take entrance exams that encourage them to go on. There has been some discussion by the Accountability Oversight Committee since the Board sent the recommendation in April back to the committee. I will propose the following with the motive of keeping the integrity of the majority of the committee and balancing the need to encourage the State Board goals, maintain legislative support and stay in line with the Governor's overall education goals.

Proposal:
Maintain the current college entrance exam requirement and alter the administration of it.

1) The current rule requires that all students take a college entrance exam. The state pays for the SAT although the ACT fulfills that requirement. Not all school districts use the SAT. Some pay for the ACT (Sugar-Salem) or use another measure (alternative schools - Compass). Outside of the SAT, those tests are on the dime of the district or the student even though they fulfill the graduation requirement.
2) The alteration would come by allowing other college entrance exams to be paid for by the state adding increased flexibility for students. The committee had also expressed the need to find a work readiness test that could fulfill the requirement. The Division of Career Technical Education has approved technical skills assessments that may be able to serve this need, however, additional work will need to be done in this area prior to identifying meaningful work readiness tests.
3) The rule (IDAPA 08.02.03.105.03) states that if juniors miss the state paid day, they can take an exam prior to the end of their 12th grade year. The timeline for SAT and ACT are generally outside of the window of the ISAT and could therefore be scheduled to suit the student.

There will be a healthy discussion of the recommendations. But, Linda and I believe maintaining the rule with a change in the state administration of the college entrance exam(s) will satisfy several needs. Again, we can discuss the implications of all the recommendations and proposals at the meeting.

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SUBJECT

Education Opportunity Resource Committee Appointment

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-5603, Idaho Code – Education Opportunity Resource Committee

BACKGROUND/DISCUSSION

During the 2016 Legislature SB 1334 (2016) created a new chapter of Idaho Code, title the Education Opportunity Resource Act. The purpose of this act is to establish a resource for Idaho's education library system in providing broadband and related services to students, and to support Idaho's E-rate eligible entities with technical, contracting and procurement guidance. To this end the Education Opportunity Resource Committee was established. The members of the committee are to include:

- The State Superintendent (or designee),
- One (1) member appointed by the State Board of Education,
- Three (3) member appointed by the Idaho association of school administrators (based on school district student enrollment),
- The State Librarian (or designee), and
- Two (2) school technology personnel appointed by the Idaho Education Technology Association.

Pursuant to Section 33-5604, Idaho Code, the Committee is charged with focusing on the broadband and related service needs of all E-rate eligible entities, and at a minimum:

(1) Make budget and policy recommendations to the state department of education regarding:
  (a) Broadband parameters;
  (b) Incentives for E-rate eligible entities to obtain the most appropriate service that best fits such entities' broadband needs and that is fiscally responsible; and
  (c) The minimum and maximum service levels, the quality of services and the minimum per student or person internet level that contracts must adhere to for E-rate eligible entities to be eligible for state reimbursement;
(2) Establish reimbursement methodology that includes, but is not necessarily limited to, the following components:
  (a) Distribution of appropriated moneys to E-rate eligible entities that have received E-rate funding. Distribution of such moneys must be in an amount equal to the non-E-rate reimbursed cost of internet services; and
  (b) If E-rate funding is not available to an E-rate eligible entity, reimburse the entity for its internet service costs;
(3) Compile and analyze broadband utilization statistics from E-rate eligible entities to determine the levels of internet services necessary for such entities and report the statistics to the state department of education, and E-rate eligible

entities shall cooperate with the committee in carrying out its duty to compile and analyze such information;

(4) Advise and recommend resources to assist the state department of education in carrying out its responsibility to provide E-rate application assistance and support to E-rate eligible entities;

(5) Not provide legal advice;

(6) Collaborate with other relevant governmental and nongovernmental entities to ensure best practices in broadband are used and to recommend the terms of contracts for broadband and related services; and

(7) Ensure compliance with appropriate purchasing laws.

At this time Andy Mehl is being nominated for consideration as the Board of Education appointed member of the committee.

Andy Mehl has been managing the Postsecondary Statewide Longitudinal Data System (SLDS) for the Office of the State Board of Education since August 2010. In that capacity he has built the system from scratch and also applied for and received a federal SLDS grant for which he serves as Program Director. Additionally, Mr. Mehl chairs the architecture group for the Western Interstate Council on Higher Education (WICHE) multistate data exchange pilot project (phase 2). Prior to joining the Office of the State Board of Education, Mr. Mehl was most recently an IT Director at URS and managed the Project Management Office (PMO) responsible for IT projects serving over 10,000 users worldwide. He has previously served several other roles in IT including many years as an application developer, analyst, and IT Department Manager at Motivepower. He also spent several years implementing process improvement for Motivepower which drives his desire to streamline processes and eliminate wasted time, effort, and money.

IMPACT

This appointment will fill the Board appointed seat on the committee.

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval.

BOARD ACTION

I move to appoint Andy Mehl to the Idaho Education Opportunity Resource Committee for a four (4) year term effective immediately and expiring on June 30, 2020.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

SUBJECT

Temporary/Proposed Rule, IDAPA 08.01.02 – Rules Governing Postsecondary Credit Scholarship Program

APPLICABLE STATUTES, RULE OR POLICY

Section 33-4605, Idaho Code

BACKGROUND/DISCUSSION

HB 477a (2016) created a new section of code, Section 33-4605, Idaho Code, which created a new state administered scholarship titled the Postsecondary Credit Scholarship. The new program provides a scholarship to all students who have earned ten (10) or more postsecondary credits at the time of high school graduation. Students who earn ten (10) or more credits, but less than twenty (20) credits will be eligible for up to a two thousand dollars ($2,000) spread over two (2) years. Students who earn twenty (20) or more credits but do not earn an associate degree at the time of high school graduation are eligible for up to a four thousand dollars ($4,000) scholarship spread over two (2) years. Students who earn an associate degree at the time of high school graduation are eligible for up to an eight thousand dollars ($8,000) scholarship spread over two (2) years. The final amount of the scholarship is subject the student having obtained a matching business or industry merit based scholarship.

The proposed rule would create a new section of administrative code similar to the Opportunity Scholarship section that would set out the administrative procedures for applying for the scholarship and provide clarification around the required business or industry matching scholarship.

IMPACT

The approval of this proposed rule will set out the administrative procedures and clarify requirements for the new Postsecondary Credit Scholarship.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 08.01.02 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.

Temporary rules go into effect at the time of Board approval unless an alternative effective date is specified by Board action. To qualify as a temporary rule, the rule must meet one of three criteria: provides protection of public health, safety, or

welfare; or is to come into compliance with deadlines in amendments to governing law or federal programs; or is conferring a benefit. This rule qualifies as temporary rules as it brings the state in compliance with HB 477a (2016) and Section 33-4602, Idaho code.

Staff recommends approval.

BOARD ACTION

I move to approve the temporary and proposed rule IDAPA 08.01.02, as submitted in Attachment 1.

Moved by_____ Seconded by_____ Carried Yes____ No____

IDAPA 08
TITLE 01
CHAPTER 02

08.01.02 - RULES GOVERNING THE POSTSECONDAY CREDIT SCHOLARSHIP PROGRAM

000. LEGAL AUTHORITY.

In accordance with Sections 33-105, 33-4601A, and 33-4605, Idaho Code the State Board of Education (Board) shall promulgate rules implementing the provisions of Title 33, Chapter 46, Idaho Code. ( )

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 08.01.02, "Rules Governing the Postsecondary Credit Scholarship Program." ( )

02. Scope. These rules constitute the requirements for the Postsecondary Credit Scholarship Program. ( )

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 Office of the State Board of Education.( )

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. ( )

004. INCORPORATION BY REFERENCE.

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

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. ( )

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

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

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

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

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

006. PUBLIC RECORDS ACT COMPLIANCE.

These rules are subject to the provisions of the Idaho Public Records Act, Title 74, Chapter 1, Idaho Code. ( )

007. -- 009. (RESERVED)

010. DEFINITIONS.
For the purposes of this section the following definitions shall apply:

01. Board. Means the Idaho State Board of Education.
02. Business Scholarship. Means a competitive scholarship awarded from a business entity registered with the Idaho Secretary of State or other state or federal entity that registers businesses and whose purpose is not postsecondary education nor is the entity affiliated with a postsecondary education institution; or an association representing businesses as described herein.
03. Executive Director. Means the Executive Director for the Idaho State Board of Education.
04. Grade Point Average (GPA). Means the average grade earned by a student, figured by dividing the grade points earned by the number of credits attempted. ( )
05. Industry Scholarship. Means a competitive scholarship in which the recipient must enter into a program of study for a specific occupational area.
06. Merit Based Scholarship. Means a merit based scholarship is one in which a minimum academic standard must be met to be eligible for the scholarship.

011. -- 100. (RESERVED)

101. APPLICATION PROCESS.

01. Initial Applications. An eligible student must complete and submit the scholarship program application to the Board electronically on or before the date specified in the application, but not later than March 1 for consideration of an award during proceeding fall academic term. An applicant without electronic capabilities may submit an application on the form established by the Executive Director through the United States Postal Service, which must be postmarked not later than March 1. Applications received after March 1 of each year must be received at least 60 days prior to the start of the term for which the applicant has enrolled after the fall term. ( )
02. Communication with State Officials. 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 Executive Director or designee. ( )

102. -- 299. (RESERVED)

300. SCHOLARSHIP AWARDS.

01. Selection Process. Scholarship awards will be based on the availability of scholarship program funds. In the event more eligible applications are received than funds are available, those applications received by March 1 of each year will be awarded based on their GPA ranking. Applications received after March 1 of each year will only be considered after all initial applications have been processed and awardees have accepted or rejected their awards.

02. Monetary Value of the Opportunity Scholarship. The monetary value of the award will be based on the maximum amount the applicant is eligible to receive based on the number of postsecondary credits accepted by the institution they attend and the amount of the matching scholarship for each year they are eligible. The award amount shall not be more than the matching merit based business or industry scholarship received by the applicant within the limits of the maximum eligible amount. ( )

03. Payment. Payment of scholarship award will be made in the name of the recipient and will be sent to the designated official at the eligible Idaho postsecondary educational institution in which the recipient is enrolled. The official must transmit the payment to the recipient student's account within a reasonable time following receipt of the payment. ( )

04. Duration. Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, 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 is valid for up to four (4) educational years from the date the recipient graduated from high school. Awards are contingent on annual appropriations by the legislature and continued eligibility of the student. ( )

05. Eligibility. If a student receives a scholarship payment and it is later determined that the student did not meet all of the scholarship program eligibility requirements, then the student is considered in overpayment status, and the remaining program funds must be returned to the Office of the State Board of Education. ( )

302. CONTINUING ELIGIBILITY.

To remain eligible for the scholarship, the recipient must comply with all of the provisions of the scholarship program and these rules, in addition to the following requirements: ( )

01. Interruption of Continuous Enrollment. A student may request an interruption of continuous enrollment for eligible students due to military service in the United States armed forces, medical circumstances, or extenuating circumstances approved by the Executive Director. 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. In addition, the individual must file a statement with the Board declaring his intent to re-enroll as a full-time student in an academic or career-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. All requests for extension must be made sixty (60) days prior to the start of the succeeding academic year.

303. -- 999. (RESERVED)

SUBJECT

Temporary/Proposed Rule, IDAPA 08.01.04 – Rules Governing Residency Classification

REFERENCE

June 2011	Board approved proposed rule changes to IDAPA 08.01.04 updating residency requirements for special graduate or professional programs.
November 2011	Board approved pending rule changes to IDAPA 08.01.04., updating residency requirements.

APPLICABLE STATUTES, RULE OR POLICY

Section 33-3717B, Idaho Code

BACKGROUND/DISCUSSION

During the 2016 legislative session the Board proposed amendments to Section 33-3717B, Idaho Code, Residency Requirements. The proposed amendments simplified the requirements for determining residency for students attending a public institution under the direct governance of the State Board of Education. The statutory amendments grant residency status for students who graduated from and Idaho high school or attended and Idaho elementary and/or secondary school for six (6) or more years, in addition to existing requirements for students who are dependents of residents or students who serve in our armed forces. Students who meet the graduation or attendance requirement are now granted residency, for tuition purposes, without having to prove domicile for the previous twelve (12) months IDAPA 08.01.04., provides clarification of the residency requirements pursuant to Section 33-3717B, Idaho Code. Amendments are being proposed to IDAPA 08.01.04 to bring it into compliance with the provisions of Section 33-3717B, Idaho Code.

The proposed rule includes the following amendments:

- Deletes unnecessary definitions for terms that are either no longer used or are defined with the statute itself
- Adds a definition of accredited secondary school and armed forces. These terms were previously undefined.
- Sets out timelines for submitting requests for reclassification of residency determinations.
- Simplifies the factors for determining domicile and specifies which items can be used as factor and which items must be used in conjunction with other factors.
- Simplifies the appeals procedure
- Deletes section that are no longer applicable and makes additional technical changes.

IMPACT

The approval of this proposed rule will bring the rule in compliance with Section 33-3717B and allow for it to move forward for public comment.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 08.01.04 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.

Temporary rules go into effect at the time of Board approval unless an alternative effective date is specified by Board action. To qualify as a temporary rule, the rule must meet one of three criteria: provides protection of public health, safety, or welfare; or is to come into compliance with deadlines in amendments to governing law or federal programs; or is conferring a benefit. This rule qualifies as temporary rules as it brings the state in compliance with HB 477a (2016) and Section 33-4602, Idaho code.

Board staff worked with the legal counsel and Registrars at each of the institutions in developing the proposed rule. Staff recommends approval.

BOARD ACTION

I move to approve changes to temporary and proposed rule IDAPA 08.01.04, as submitted in Attachment 1.

Moved by_____ Seconded by_____ Carried Yes____ No____

IDAPA 08
TITLE 01
CHAPTER 04

08.01.04 - RULES GOVERNING RESIDENCY CLASSIFICATION THE STATE BOARD OF EDUCATION

000. LEGAL AUTHORITY.
This chapter is adopted under the legal authority of Section 33-3717B, Idaho Code. (5-8-09)

001. TITLE AND SCOPE.
01. Title. The title of this chapter is Residency.
02. Scope. This chapter ~~has the following scope:~~ governs ~~the~~ residency classification for tuition purposes for the four-year institutions and Eastern Idaho Technical College under the ~~supervision~~ governance of the State Board of Education and the Regents of the University of Idaho~~, the University of Idaho, Boise State University, Idaho State University, and Lewis-Clark State College are required to make residency determinations~~ pursuant to Section 33-3717B, Idaho Code~~, and these rules~~. ~~(5-8-09)~~

002. WRITTEN INTERPRETATIONS -- AGENCY GUIDELINES.
Written interpretations to these rules in the form of explanatory comments are available from the Office of the State Board of Education, 650 West State Street, Room 307, Boise, Idaho 83720. (1-1-94)

003. ADMINISTRATIVE APPEALS.
~~Provisions for appeal of a residency determination are set forth in Section 103 of this chapter.~~Unless otherwise provided for in the rules of the State Board of Education or in the State Board of Education Governing Policies and Procedures, all administrative appeals allowed by law shall be conducted as provided herein. ~~(1-1-94)~~

004. INCORPORATION BY REFERENCE.
There are no documents incorporated by reference into these rules.

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.
The principal place of business of the State Board of Education is in Boise, Idaho.
01. Mailing Address. The mailing address is PO Box 83720, Boise, Idaho 83720-0037.
02. Street Address. The State Board of Education's street address is 650 West State Street, Room 307, Boise, Idaho 83702.
03. Office Hours. The office hours are from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays.

00~~4~~6. PUBLIC RECORDS ACT COMPLIANCE.
~~All rules required to be adopted by this chapter are public records.~~ This rule~~s~~ has been promulgated in accordance with the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, and is a public record. ~~(1-1-94)~~

007. -- 009. (RESERVED).

0~~05~~10. DEFINITIONS.

~~**01. Resident Student.** For any public institution of higher education in Idaho, resident student is defined in Section 33-3717B, Idaho Code, and specifically includes: (3-29-10)~~

~~**a.** Any student who has one (1) or more parent or parents or court appointed guardians who are domiciled in the state of Idaho for at least twelve (12) months prior to the opening day of the term for which the student matriculates, and the parent or parents or guardians provide at least fifty percent (50%) of the student's support. (5-8-9)~~

~~**b.** Any student who receives less than fifty percent (50%) of his support from a parent, parents, or legal~~

~~guardians and who has continuously resided and maintained a bona fide domicile in the state for twelve (12) months immediately preceding the opening day of the term during which the student proposes to attend primarily for purposes other than educational. (5-8-09)~~

~~**c.** Unless disqualified as a nonresident student as defined in Subsection 005.02, any student who is a graduate of an accredited secondary school in the state of Idaho and who matriculates during the term immediately following such graduation. (1-1-94)~~

~~**d.** The spouse of a person who is classified or is eligible for classification as a resident of the state for purposes of attending a college or university, provided that the institution shall require the filing of proof of marriage by the applicant. (1-1-94)~~

~~**e.** A member of the armed forces of the United States stationed in the state on military orders. (1-1-94)~~

~~**f.** An officer or an enlisted member of the Idaho national guard. (5-8-09)~~

~~**g.** A student whose parent or guardian is a member of the armed forces and stationed in the state on military orders and who receives fifty percent (50%) or more of his support from a parent or guardian, provided that the student, while in continuous attendance, shall not lose residency status when the student's parent or guardian is transferred on military orders. (1-1-94)~~

~~**h.** A person separated, under honorable conditions, from the United States armed forces after at least two (2) years of service, who at the time of separation designates the state of Idaho as his intended domicile or who has Idaho as the home of record in service and enters a college or university in the state within one (1) year of the date of separation. (1-1-94)~~

~~**i.** Any person who has been domiciled in the state, has qualified and would otherwise be qualified under Section 33-3717B, Idaho Code, and who is away from the state for a period of less than thirty (30) months and has not established legal residence elsewhere, provided a twelve-month (12) period of continuous residence has been established immediately prior to departure. However, time spent away from the state while enrolled in a postsecondary education program shall not be included in the thirty (30) months. Such time spent away from the state while enrolled shall include normal academic year breaks, such as summer breaks or breaks between semesters or quarters, that occur prior to the receipt of the postsecondary degree. (3-29-10)~~

~~**j.** A student who is a member of any of the following Idaho Native American Indian tribes, regardless of current domicile, shall be considered an Idaho state resident for purposes of fees or tuition at institutions of higher education: members of the following Idaho Native American Indian tribes, whose traditional and customary tribal boundaries included portions of the state of Idaho, or whose Indian tribe was granted reserved lands within the state of Idaho: (5-8-09)~~

~~i. Coeur d'Alene tribe; (5-8-09)~~

~~ii. Shoshone-Paiute tribes; (5-8-09)~~

~~iii. Nez Perce tribe; (5-8-09)~~

~~iv. Shoshone-Bannock tribes; (5-8-09)~~

~~v. Kootenai tribe. (5-8-09)~~

~~**02. Nonresident Student.** Nonresident student is defined in Section 33-3717B, Idaho Code, and includes: (5-8-09)~~

~~**a.** A student who does not qualify as a resident student as defined in Subsection 005.01. (1-1-94)~~

~~**b.** A student attending an institution in this state with financial assistance provided by another state or governmental entity thereof, such nonresidency continuing for one (1) year after the completion of the semester for which such assistance is last provided. (1-1-94)~~

~~**c.** A person who is not a citizen of the United States of America, who does not have permanent or temporary resident status or who does not hold "refugee-parolee" or "conditional entrant" status with the United States Immigration and Naturalization Service, or is not otherwise permanently residing in the United States under color of law, and who does not also comply with and meet all applicable sections of Section 33-3717B, Idaho Code, and this chapter.~~ **Accredited Secondary School**. "Accredited secondary school" means an Idaho secondary school accredited by a body recognized by the State Board of Education. ( )

02. Armed forces. "Armed forces" means the United States Army, Navy, Air Force, Marine Corps, Coast Guard and their reserve forces. It does not include the National Guard or any other reserve force. ~~(5-8-09)~~( )

03. Continuously Resided. ~~The term~~ "~~c~~Continuously resided" ~~as used in this chapter~~ means physical presence in the state for twelve (12) consecutive months. Absence from the state for normal vacations, family travel, work assignments, short-term military training, and similar occasions ~~totaling not more than thirty (30) days~~ during the twelve (12) month qualifying period, in and of itself, will not be regarded as negating the continuous residence of the individual. ~~(1-1-94)~~

~~**04. Continuous Attendance**. For purposes of Subsection 005.01.g., "continuous attendance" means attendance at a college or university for continuing and succeeding semesters or terms excluding summer semesters or terms. (5-8-09)~~

~~**05. Accredited Secondary School**. "Accredited secondary school" means an Idaho secondary school accredited by the State Board of Education. (1-1-94)~~

~~**06. Term Immediately Following Graduation**. For purposes of Subsection 005.01.c., "the term immediately following graduation" does not include the summer semester or term of a college or university. (1-1-94)~~

~~**07. Armed Forces**. "Armed forces" means the United States Army, Navy, Air Force, Marine Corps, and United States Coast Guard. It does not include the National Guard or other reserve force. (3-30-01)~~

~~**08. Domicile**. "Domicile" means an individual's true, fixed, and permanent home and place of habitation; the place where the individual intends to remain and to which the individual expects to return when he leaves without intending to establish a new domicile elsewhere. The establishment of domicile in Idaho occurs when a person is physically present in Idaho primarily for purposes other than educational and can show satisfactory proof that such person is without a present intention to return to another state or acquire a domicile at some other place outside the state and the person has met any other applicable requirements of this chapter. (1-1-94)~~

04. Full-time Employment. "Full-time employment" means employment consisting on average of at least 30 hours of service per week, or 120 hours of service per month.

05. Full-time Student. "Full-time student" means a student taking the number of credits set by the State Board of Education to constitute a full course load.

0~~9~~6. Support. "Support" means financial support given to the student during the twelve (12) months preceding the opening date of the term for which resident status is requested, but shall not include educational scholarships or grants provided to the student to attend a postsecondary educational institution. Any student who receives less than fifty percent (50%) support may demonstrate this by showing that he is not claimed as a dependent by a parent or guardian for income tax purposes or that a parent or guardian provides less than fifty percent (50%) of the cost of attending an institution according to the financial aid office of that institution or that other similar evidence exists of parental support such as dental bills, medical bills, etc. (5-8-09)

00~~6~~7. -- 099. (RESERVED)

100. RESIDENT CLASSIFICATION BY ALL INSTITUTIONS.
Any student classified as a resident student for purposes of tuition ~~higher education~~ by one ~~institution~~ of the institutions

or Eastern Idaho Technical College ~~must~~ shall be considered a resident by all other institutions. ~~"Institutions" means the University of Idaho, Idaho State University, Boise State University, Lewis-Clark State College, and Eastern Idaho Technical College.~~ ~~(5-8-09)~~

101. RESIDENCY CLASSIFICATION PROCESS.
All requests for residency reclassification must be submitted by the student to the institution by the 10th day of the term in which reclassification is sought. Each institution shall~~is to~~ develop its own procedures to determine the residency status of applicants, disseminate information about the classification process, and determine the documentation required of each applicant to the institution. The institution may require whatever records, documents, or affidavits it deems necessary to classify each applicant correctly. It is the responsibility of the institution to notify the student in a timely manner of the documentation required for the classification process, and it is the responsibility of the student to provide the documentation by the deadline established by the institution. Each student ~~must~~ shall be notified in writing of the residency classification decision ~~made by the institutional personnel responsible for determining residency status~~ within fifteen (15) days of such determination being made. ~~(7-1-93)~~

102. FACTORS FOR DETERMINING DOMICILE.
~~Pursuant to Section 33-3717B, Idaho Code, the overriding factor for determining whether a student is a "resident student" is domicile. For these purposes, the establishment of~~ The following, if supported by documentation, support a claim of domicile in Idaho. ~~occurs when a person is physically present in Idaho primarily for purposes other than educational and can show satisfactory proof that such person is without a present intention to return to another state or acquire a domicile at some other place outside the state and the person has met any other applicable requirements of this chapter. In determining whether a student is domiciled in Idaho primarily for purposes other than educational, the institutions shall consider the following:~~ ~~(5-8-09)~~

~~**01. Domicile Established**. Any of the following, if done for at least twelve (12) months before the term in which the student proposes to enroll as a resident student, proves the establishment and maintenance of domicile in Idaho for purposes other than educational:~~ ~~(5-8-09)~~

01. ~~Single~~ Tax Returns and Employment~~Factors~~. Both of the following, if done for at least twelve (12) months before the term in which the student proposes to enroll ~~as a resident student~~, proves the establishment and maintenance of domicile in Idaho for purposes other than educational:

a. Filing of Idaho state income tax returns covering a period of at least twelve (12) months before the term in which the student proposes to enroll as a resident student, and~~.~~ (5-8-09)

~~**b**~~**b.** ~~Permanent f~~Full-time employment or the hourly equivalent ~~thereof~~ in ~~the state of~~ Idaho. (5-8-09)

~~**c.** Ownership by the student of the students living quarters. (5-8-09)~~

~~**02. Rebuttable Presumption**. A student who is enrolled for more than eight (8) hours in any semester or quarter during a twelve (12) month period shall be presumed to be in Idaho for primarily educational purposes. Such period of enrollment shall not be counted toward the establishment of a bona fide domicile in the state unless the student proves, in fact, establishment of a bona fide domicile in the state primarily for purposes other than educational. A student who establishes at least five (5) of the seven (7) factors listed in Subsection 102.03 of these rules, if done for a least twelve (12) months before the term in which the student proposes to enroll as a resident student, proves the establishment and maintenance of domicile in Idaho for purposes other than educational. (5-8-09)~~

~~**03**~~**02.** ~~**Additional Factors to Determine Domicilary Intent**~~**Multiple Factors**. ~~A student who establishes at least f~~Five (5) of the ~~seven (7)~~ following factors, if done for at least twelve (12) months before the term in which the student proposes to enroll ~~as a resident student~~, proves the establishment and maintenance of domicile in Idaho for purposes other than educational: ~~(5-8-09)~~

a. Ownership or leasing of a residence in Idaho.

b. Registration and payment of Idaho taxes or fees, other than sales or income tax, ~~. Registration~~including registration and payment of Idaho taxes or fees on a motor vehicle, mobile home, travel trailer,

or other item of personal property for which state registration and the payment of state tax or fee is required. ~~(5-8-09)~~

c~~b~~. Registration to vote for state elected officials in Idaho at a general election. (1-1-94)

d~~c~~. Holding of an Idaho driver's license~~. An Idaho~~ or state-issued ~~ID~~ identification card~~ may be used in lieu of an Idaho driver's license~~. ~~(5-8-09)~~

e~~d~~. Evidence of the abandonment of a previous domicile. (1-1-94)

~~**e.** The presence of household goods in Idaho. (1-1-94)~~

f. The establishment of accounts with~~ Idaho~~ financial institutions in Idaho. ~~(5-8-09)~~

g. ~~And~~ Other ~~S~~similar ~~F~~factors ~~I~~indicating ~~I~~intent to ~~B~~be ~~D~~domiciled in Idaho and the ~~M~~maintenance of ~~S~~such ~~D~~domicile. Factors may include, but are not limited to, enrollment of dependent children in Idaho ~~primary~~ elementary or secondary schools, establishment of acceptance of an offer of permanent employment for self in Idaho, ~~or~~ documented need to care for a relative in Idaho, utility statements, or employment documentation.

04. Idaho Elementary and Secondary Students. If a student meets the requirements set forth under Idaho Code, Section 33-3717B(1)(c), that student shall not be required to meet the twelve (12) month requirement for establishing domicile. ~~(5-8-09)~~

103. APPEALS PROCEDURE.
Any student who contests the residency classification decision made ~~pursuant to IDAPA 08.01.04.101~~ by the institution may appeal the decision. The student ~~must~~ shall be informed of his right to appeal by the institution at the time the student is notified of the residency classification decision.~~,~~ The student must request the appeal in writing and agree to the release of information provided to determine residency to the review body, and~~ must~~ comply with deadlines established by the institution for requesting such appeal. ~~(1-1-94)~~

01. ~~**Internal**~~ Institution **Appeal**. The chief executive officer of each institution or his designee ~~must~~ shall appoint or cause to be appointed a committee of no less than three (3) ~~to~~ nor more than five (5) members who represent faculty and administration and who will constitute a residency review committee. ~~The individual responsible for the initial determination of residency of any student is ineligible for membership on the review committee. The committee will elect a chairman, secretary, or other position as may be deemed necessary to carry out the work of the committee.~~ Within thirty (30) days following receipt of the student's written request to appeal the residency classification decision~~ made pursuant to IDAPA 08.01.04.101~~, the committee must meet and review the ruling. The student appealing is responsible for presenting such evidence as the committee may request and such other evidence as the student may deem pertinent to his residency status. The individual ~~who made~~responsible for the initial residency classification decision ~~pursuant to IDAPA 08.01.04.101~~ may be present, if requested by the committee, ~~to submit such information as he may desire for each case being appealed~~to answer questions from the committee. The student must be notified in writing of the ~~review~~ committee's decision. The decision of the committee is final unless the student elects to appeal ~~further~~the decision to the State Board of Education. ~~(7-1-93)~~

02. Board Appeal. Any student who contests the decision of the residency review committee may appeal to the State Board of Education. In such case, the student must advise the chief executive officer of the institution, in writing, of his request to submit an appeal. The chief executive officer ~~must arrange for a~~ will submit the request to the Office of the State Board of Education for review by the Board or the Board's designated representatives. The decision of the State Board of Education ~~is~~ is the final determination and is binding on all parties concerned, subject to the student's statutory right to appeal the final determination to district court. ~~(7-1-93)~~

~~**104. INTERPRETATIONS RELATING TO RESIDENCY CLASSIFICATION.**~~

~~**01. Common Law Marriage**. Any student who wants to establish residency on the basis of a common law marriage must complete an Affidavit of Common Law Marriage as approved by the Board. (7-1-93)~~

~~**02. Nonresident Aliens -- Marital Privilege**. Nonresident aliens who marry Idaho residents become~~

~~eligible for residency classification for purposes of higher education, as provided in Section 33-3717B, Idaho Code, upon filing proof of marriage in the admissions office. However, the institutions remain responsible for complying with requirements set forth in regulations of the U.S. Immigration and Naturalization Service relating to non-immigrant alien students until such time as the alien is granted lawful resident alien status by the U.S. Immigration and Naturalization Service. (5-8-09)~~

~~**105. RESIDENCY REQUIREMENTS FOR SPECIAL GRADUATE OR PROFESSIONAL PROGRAMS.**~~

~~**01. Residency Requirement**. As provided in Section 33-3717B, Idaho Code, a residency requirement of at least one (1) calendar year is in effect for certain special graduate and professional programs. (3-29-12)~~

~~**a.** Those programs include, but are not limited to, the WAMI Regional Medical Program, the WICHE Professional Student Exchange Program, the Idaho Dental Education Program, the Creighton Dental Education Program, the WOI Regional Veterinary Program, and the University of Utah Medical Program. (3-29-12)~~

~~**b.** For purposes of this section, the requirement of "at least one (1) calendar year" means a period of twelve (12) consecutive months of continuous residency consistent with the requirements of Section 33-3717B, Idaho Code, immediately prior to the date of application. (3-29-12)~~

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

10~~6~~4. -- 999. (RESERVED)

SUBJECT

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

REFERENCE

June 23, 2011	Board approved changes to temporary and proposed rule 08.01.09, Rules Governing the GEAR UP Idaho Scholarship program
June 20, 2013	Board approved changes to proposed rule 08.01.09, Rules Governing the GEAR UP Idaho Scholarship program
October 2013	Board approved pending rule, docket 08-0109-1301, amending the GEAR UP Idaho Scholarship.
August 2015	Board approved proposed rule changes to IDAPA 08.01.09, Rules Governing GEAR UP Idaho Scholarship program
November 2015	Board approved pending rule, docket 08-0109-1501, providing efficiencies in the administration of the scholarship awards, as well as provide clarity for individuals applying for the 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 purpose of the GEAR UP program is to provide targeted early intervention services to students in areas where inadequate academic and financial preparation can make going on to postsecondary education seem unattainable. One component of this program is the scholarship. The original scholarship is available to students who had attended a school participating in the GEAR UP Idaho program and who had participated in the programs early intervention component in grades seven (7) through ten (10). To be eligible for participation in the GEAR UP 1 scholarship, the student must have graduated in 2012, 2013, or 2014. Idaho received a second GEAR UP grant, referred to as GEAR UP 2. The scholarship component of GEAR UP 2 is available to students who will graduate from high school in 2017 and 2018. The student eligibility requirements for the GEAR UP 2 program are slightly different than those of GEAR UP 1.

Due to the changes in federal requirements for this program it will no longer be necessary to have administrative rules governing the scholarship program. Participation and award amounts will be based on the federal program requirements. Based on these requirements, the award amounts for students that graduate in 2017 or 2018 will be the total amount of available funds divided by the total number of eligible applicants.

IMPACT

The proposed changes will bring the rule regarding the student eligibility in alignment with the federal program requirements.

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.

Staff recommends approval.

BOARD ACTION

I move to approve changes to proposed rule IDAPA 08.01.09, repealing IDAPA 08.01.09 in its entirety.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

~~IDAPA 08~~
~~TITLE 01~~
~~CHAPTER 09~~

~~08.01.09 - RULES GOVERNING THE GEAR UP IDAHO SCHOLARSHIP PROGRAM~~

~~000. LEGAL AUTHORITY.~~

~~These rules are promulgated pursuant to the authority of the State Board of Education (Board) under Section 33-105, Idaho Code. (3-29-12)~~

~~001. TITLE AND SCOPE.~~

~~**01. Title**. These rules shall be cited as IDAPA 08.01.09, "Rules Governing the GEAR UP Idaho Scholarship Program." (3-29-12)~~

~~**02. Scope**. These rules constitute the requirements for the GEAR UP Idaho Scholarship Program. (3-29-12)~~

~~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. (3-29-12)~~

~~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. (3-29-12)~~

~~004. INCORPORATION BY REFERENCE.~~

~~There are no documents that have been incorporated by reference into these rules. (3-29-12)~~

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

~~The principal place of business of the State Board of Education is in Boise, Idaho. (3-29-12)~~

~~**01. Mailing Address**. The mailing address is PO Box 83720, Boise, Idaho 83720-0037. (3-29-12)~~

~~**02. Street Address**. The State Board of Education's street address is 650 West State Street, Room 307, Boise, Idaho 83702. (3-29-12)~~

~~**03. Office Hours**. The office hours are from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. (3-29-12)~~

~~006. PUBLIC RECORDS ACT COMPLIANCE.~~

~~These rules are subject to the provisions of the Idaho Public Records Act, Title 74, Chapter 1, Idaho Code. (3-29-12)~~

~~007. -- 009. (RESERVED)~~

~~010. DEFINITIONS.~~

~~**01. Educational Costs**. Student costs for tuition, fees, room and board, or expenses related to reasonable commuting, books and other expenses reasonably related to attendance a postsecondary educational institution. This cost is determined by the postsecondary institution the student attends and is the institution's published cost of attendance for the academic year for which the student is attending. (3-20-14)~~

~~**02. Eligible Institution**. (3-29-12)~~

~~**a.** A public postsecondary educational institution governed or supervised by the Board, or a board of trustees of a community college established pursuant to the provisions of Chapter 21, Title 33, Idaho Code; or (3-29-12)~~

~~**b.** Any educational organization located in Idaho that is: (3-29-12)~~
~~i. Operated privately; and (3-20-14)~~
~~ii. Classified as not-for-profit under Idaho Code; and (3-20-14)~~
~~iii. Under the control of an independent board and not directly controlled or administered by a public or political subdivision; and (3-29-12)~~
~~iv. Accredited by an organization recognized by the Board, as provided in section 33-2402, Idaho Code. (3-29-12)~~
~~v. Eligible for receipt of federal financial aid funding. (3-29-12)~~

~~**03. Eligible Student**. A student who: (3-29-12)~~
~~**a.** Is an Idaho resident, as defined in Section 33-3717B or 33-2110B, Idaho Code, as applicable to the institution the student is applying to, and who has participated in the early intervention component (7th through 10th grade) of the GEAR UP Idaho program and who has or will graduate from an accredited high school or equivalent in Idaho as determined by the Board in 2012, 2013, or 2014; (3-20-14)~~

~~**b.** Has enrolled or applied as a full-time student in an eligible institution for a minimum of twenty- four (24) credit hours in an academic year. (3-29-12)~~

~~**04. Administrator**. The Executive Director of the Idaho State Board of Education or his designee. (3-29-12)~~

~~011. -- 099. (RESERVED)~~

~~100. OBJECTIVES OF THE GEAR UP IDAHO SCHOLARSHIP PROGRAM.~~

~~The objectives of the GEAR UP Idaho scholarship program are as follows: (3-29-12)~~

~~**01. Continuation of Education**. To support the continuation of education at the postsecondary level by providing qualified students with a scholarship; and(3-29-12)~~

~~**02. Successful Completion of Program Activities**. To recognize the successful completion of GEAR UP program activities by student participants. (3-29-12)~~

~~**101. ELIGIBILITY.**~~

~~**01. Eligible Student**. An applicant must be less than twenty-two (22) years of age at the time the student first receives a scholarship award. (3-20-14)~~

~~**02. Undergraduate Student**. An applicant must be enrolled full-time in an undergraduate program at an eligible institution. A student enrolled in an undergraduate program is eligible for consideration for a scholarship award, even if some of the student's courses are at the graduate level. (3-20-14)~~

~~**102. -- 199. (RESERVED)**~~

~~**200. APPLICATION PROCESS.**~~

~~**01. Initial Applications**. (3-29-12)~~

~~**a.** An applicant must complete and submit the GEAR UP Idaho Scholarship Application to the Board electronically on or before the date specified in the application, but not later than March 1 of the year the student will graduate from a secondary school or its equivalent. An applicant without electronic capabilities may receive assistance in completing the electronic application from a high school counselor or from State Board of Education scholarship staff. The application may also be submitted to the GEAR UP Idaho Scholarship Administrator through the United States Postal Service, which must be postmarked no later than March 1. (3-20-14)~~

~~**b.** An applicant must complete and submit the Free Application for Federal Student Aid (FAFSA) on or before March 1 of the year student will graduate from secondary school or its equivalent. (3-20-14)~~

~~**02. Announcement of Award**. Announcement of award recipients will be made no later than May 1. (3-20-14)~~

~~**03. Communication with State Officials**. Applicants must respond to any communication from officials of the GEAR UP Idaho Program by the date specified. Failure to respond within the time period specified will result in cancellation of the application or forfeiture of the scholarship. (3-20-14)~~

~~**201. -- 299. (RESERVED)**~~

~~300. SELECTION CRITERIA.~~

~~01. Academic Eligibility~~. ~~(3-29-12)~~

~~**a.** Applicants for the GEAR UP Idaho scholarship are granted as recipients, in part, on the basis of their academic performance. The applicant's ACT composite or SAT combined reading and math score are used to determine an applicant's academic rank. (3-20-14)~~

~~**b.** The academic ranking constitutes twenty percent (20%) of the selection ranking. (3-29-12)~~

~~**c.** ACT Composite or SAT combined reading and math Score. Academic applicants must take the ACT or SAT reading and math exam. The highest composite score from any single test administration taken prior to the application deadline will be considered. (3-20-14)~~

~~02. Financial Eligibility~~. ~~(3-29-12)~~

~~**a.** Applicants for GEAR UP Idaho scholarship are selected as recipients, in part, on the basis of demonstrated financial need. The tool used to determine financial need will be the FAFSA, used by the United States Department of Education. The financial need of an applicant for a GEAR UP scholarship will be based upon the validated expected family contribution, as identified by the FAFSA Student Aid report. (3-20-14)~~

~~**b.** The financial need factor, as determined by FAFSA, will constitute sixty percent (60%) of the weighting for the selection of recipients of GEAR UP scholarships. (3-29-12)~~

~~03. Participation Eligibility~~. ~~(3-29-12)~~

~~**a.** Applicants for GEAR UP Idaho scholarships must have attended or is attending a school participating in the GEAR UP Idaho program and are selected in part on the basis of their participation in GEAR UP activities. (3-20-14)~~

~~**b.** Participation is reported in hours. Participation is determined based upon the hours a GEAR UP applicant participated in available GEAR UP early intervention program activities offered at their school. Applicants will be compared to other applicants from the same school. GEAR UP participation hours shall be provided by the GEAR UP school the student participated in. (3-20-14)~~

~~**c.** The participation factor shall constitute twenty percent (20%) of the selection ranking. (3-20-14)~~

~~301. -- 399. (RESERVED)~~

~~400. GEAR UP IDAHO SCHOLARSHIP AWARD.~~

~~**01. Distribution**. GEAR UP Idaho scholarships will be awarded at each school that has participated in the GEAR UP Idaho program, with distribution based on school population in relation to the over-all state GEAR UP population. (3-20-14)~~

~~**02. Monetary Value of the Gear Up Idaho Scholarship**. (3-29-12)~~

~~**a.** The monetary value of the GEAR UP Idaho scholarship award shall be determined based on a student's financial need, academic merit, and participation factor. (3-20-14)~~

~~**b.** If the applicant is awarded a Pell Grant, the minimum award shall not be less than the applicant's Pell Grant award. (3-20-14)~~

~~**c.** The total amount of financial aid from all sources shall not exceed the student's total educational costs. (3-29-12)~~

~~**03. Payment**. Payment of scholarship awards will be made in the name of the recipient and will be sent to a designated official at the eligible 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. (3-29-12)~~

~~**04. Duration**. Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, quarters, or equivalent units. In no instance will the entire amount of a scholarship be paid in advance to, or on behalf of, a scholarship recipient. The scholarship covers up to one (1) educational year or equivalent for attendance at an eligible institution. (3-20-14)~~

~~**05. Eligibility**. If a student receives a scholarship payment and it is later determined that the student did not meet all of the eligibility requirements, then the student is considered in overpayment status, and must return program funds in accordance with the eligible institution's refund policy. (3-29-12)~~

~~401. -- 499. (RESERVED)~~

~~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 date may be considered for awards for the next academic year contingent on availability of funds, continued eligibility, and attending institution deadlines. (3-25-16)~~

~~**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 the end of the next academic period following the transfer.(3-25-16)~~

~~**05. Maximum Scholarship Award**. The award of a GEAR UP Idaho scholarship shall not exceed the equivalent of ten (10) continuous semesters or the equivalent of five (5) continuous academic years. (3-25-16)~~

~~**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 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 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 thirty (30) days prior to the start of the succeeding academic year. (3-25-16)~~

~~601. -- 699. (RESERVED)~~

~~700. RESPONSIBILITIES OF ELIGIBLE IDAHO POSTSECONDARY EDUCATIONAL INSTITUTIONS.~~

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

~~02. Other Requirements~~. ~~An eligible institution must: (3-29-12)~~

~~a.~~ ~~Be eligible to participate in Federal Title IV financial aid programs, and must provide prompt notification regarding any changes in this status to the State Board of Education; (3-29-12)~~

~~b.~~ ~~Provide data on student enrollment and federal, state, and private financial aid for students to the administrator; and (3-20-14)~~

~~c.~~ ~~Agree to permit periodic GEAR UP Idaho Scholarship Program audits to verify compliance with these rules. (3-29-12)~~

~~701. ADMINISTRATION.~~
~~The administrator is responsible for: (3-20-14)~~

~~01. Information~~. ~~Releasing any public information regarding the GEAR UP Idaho Scholarship Program; (3-29-12)~~

~~02. Recipient Determination~~. ~~Determination of scholarship recipients; (3-29-12)~~

~~03. Payment Procedures~~. ~~Determination of procedures for payment of scholarships to recipients; (3-29-12)~~

~~04. Accounting~~. ~~Maintaining fiscal controls and accounting procedures;(3-29-12)~~

~~05. Program Management~~. ~~Authorizing release of all forms, affidavits, and certification necessary for the operation of the program. (3-29-12)~~

~~703. -- 799. (RESERVED)~~

~~800. APPEALS.~~

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

~~**01. Transmittal to Subcommittee**. If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the President of the Board within fifteen (15) days from the time the subcommittee receives the appeal document. The 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 President of the Board will present the subcommittee's recommendation to the full Board at the next regularly scheduled meeting of the Board. The scholarship applicant or recipient initiating the appeal may, at the discretion of the President of the Board, be permitted to make a presentation to the Board. (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 scholarship applicant or recipient in writing of the decision of the Board. (3-20-14)~~

~~801. -- 999. (RESERVED)~~

SUBJECT

Temporary/Proposed Rule 08.02.01.801, Rules Governing Administration – Continuous Improvement Plans

REFERENCE

June 2014	Board approved temporary and proposed rule 08.02.01 – Strategic Planning, creating the requirements for training reimbursement
November 2014	Board approved pending rule IDAPA 08.02.01 – Strategic Planning
June 2015	Board approved a legislative idea to implement the Task Force subcommittee recommendation on continuous improvement plan reporting
August 2015	Board approved proposed rule 08.02.01.801 – Continuous Improvement Plans, updating the terms to bring the rule in alignment with legislative changes.
September 2015	Board approved legislation to implement the Task Force subcommittee recommendation on continuous improvement plan reporting
November 2015	Board approved pending rule 08.02.01.801 – Continuous Improvement Plans.

APPLICABLE STATUTE, RULE, OR POLICY

Sections 33-320, 33-1212A, Idaho Code

BACKGROUND/DISCUSSION

Pursuant to Section 33-320, Idaho Code, as amended (HB 560, 2016), the State Board of Education (Board) is required to establish "statewide student readiness and improvement metrics" in three (3) grade bands (elementary, middle, and secondary grades) as well as in reading readiness in grade 1 through 4. School district are then required to report these metrics in their annual Continuous Improvement Plans. Pursuant to Section 33-1212A, Idaho Code, as amended (SB 1290, 2016) requires the Board to specify minimum student outcomes for school districts to use when reporting on the effectiveness of their college and career advising and mentoring programs and requires school districts to report these outcomes as part of their Continuous Improvement Plans.

The proposed amendments to IDAPA 08.02.01.801 will set out these metrics and outcomes, as well as administrative reporting requirements. To properly determine progress in any of these areas requires the use of multiple measures. The proposed metrics will provide for a statewide minimum that is used consistently around the state allow school districts to select any additional measures they wish to use to inform them of their students readiness levels at the given grade bands.

Board staff discussed with stakeholder groups options on measures that are

currently used statewide and would not require the creation of a new measure that may not be able to be tracked in all districts. Based on these discussions the following minimum metrics are being proposed:

- Career and college readiness metric: college entrance exam
- High school readiness metric: proficiency on the 8th grade Idaho Standards Achievement Test
- Grade 7 readiness metric: proficiency on the 6th grade Idaho Standards Achievement Test
- Grade 4 reading readiness metric: proficiency at the 3rd grade level on the statewide reading assessment
- Grade 3 reading readiness metric: proficiency at the spring 2nd grade level on the statewide reading assessment
- Grade 2 reading readiness metric: proficiency at the spring 1st grade level on the statewide reading assessment
- Grade 1 reading readiness metric: proficiency at the spring kindergarten grade level on the statewide reading assessment

Improvement metrics would show the percent of year over year growth at each level.

The addition of the statewide student readiness and improvement metrics at the three grade levels is the implementation of one of the Accountability and Autonomy Task Force subcommittee recommendations in 2014. The addition of the reading readiness metrics was a result of legislative action regarding the reading literacy initiative.

IMPACT

Approval of the proposed rule will bring the rule in compliance with section 33-320 and 1212A, Idaho Code and provide the school districts guidance on the new reporting requirements.

ATTACHMENTS

Attachment 1 – Temporary/Proposed Rule Changes to IDAPA 08.02.01.801 Page 5

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.

Temporary rules go into effect at the time of Board approval unless an alternative effective date is specified by Board action. To qualify as a temporary rule, the rule

must meet one of three criteria: provides protection of public health, safety, or welfare; or is to come into compliance with deadlines in amendments to governing law or federal programs; or is conferring a benefit. This rule qualifies as temporary rules as it brings the state in compliance with HB 560 (2016) and Section 33-320, Idaho code and SB 1290 (2016) and Section 33-1212A.

Staff recommends approval.

BOARD ACTION

I move to approve changes to temporary and proposed rule IDAPA 08.02.01.801, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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IDAPA 08
TITLE 02
CHAPTER 01

08.02.01 - Rules Governing Administration

801. 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 includes a continuous improvement process focused on improving student performance of the LEA. (3-25-16)

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. Continuous Improvement Plan. As used in this section, a continuous improvement plan focuses on annual measurable outcomes and the analysis of data to assess and prioritize needs and measure outcomes. (3-25-16)

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. Continuous improvement planning training. 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; (3-25-16)

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 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. (3-25-16)

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~~**03. Audit**. If requested, LEA's must provide training documentation or other information to verify eligibility prior to reimbursement. (4-11-15)

04. Statewide Continuous Improvement Measures. Multiple measures must be used to fully determine student readiness and improvement. At a minimum each continuous improvement plan shall include the statewide student readiness and improvement metrics. The benchmark for each metric shall be set by the LEA.

a. The career and college readiness metric shall be the number and percentage of students meeting the college ready benchmark in mathematics and English Language Arts on a state recognized college entrance exam. Improvement shall be measured by year over year growth in the percentage of students meeting the college readiness benchmark.

b. The high school readiness metric shall be the number and percentage of students meeting proficient or advanced on the grade 9 Idaho standards achievement test in mathematics and English language usage. Improvement shall be measured by year over year growth in the percentage of students scoring proficient or advanced.

c. The grade 7 readiness metric shall be the number and percentage of students meeting proficient or advanced on the grade 6 Idaho standards achievement test in mathematics and English language usage. Improvement shall be measured by year over year growth in the percentage of students scoring proficient or advanced.

d. The grade 4 reading readiness metric shall be the number and percentage of students reading at grade level on the spring grade 3 statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level.

e. The grade 3 reading readiness metric shall be the number and percentage of students reading at grade level on the spring grade 2 statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level.

f. The grade 2 reading readiness metric shall be the number and percentage of students reading at grade level on the spring grade 1 statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level.

g. The grade 1 reading readiness metric shall be the number and percentage of students reading at grade level on the spring kindergarten statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level.

05. Annual Literacy Intervention Plan. Annually each LEA will report on the effectiveness of the LEA's literacy intervention plan. Reports shall include at a minimum:

a. Summary of literacy interventions used at each grade level.
b. Previous year literacy intervention expenditures.
c. Projected literacy plan budget for current school year.
d. Metrics chosen by the LEA to determine effectiveness of the literacy plan.
e. Performance on effectiveness metrics.

06. College and Career Advising and Mentoring Plans. Annually each LEA will report on the effectiveness of the LEA's college and career or mentoring plan. Reports shall include:

a. Description of college and career advising model used by the LEA.
b. Summary of advising and or mentoring used at each grade level, grade 7 through 12, as applicable to the grade ranges enrolled with the LEA.
c. Previous year college and career advising and mentoring expenditures. College and career advising and mentoring plans submitted for the 2016-2017 school year must show how the additional funds received will be used to expand current college and career advising in the schools. Additional funds shall not be used to supplant current efforts.
d. Projected college and career advising and mentoring plan budget for current school year.
e. Metrics chosen by the LEA to determine effectiveness of the college and career advising and mentoring plan.
f. Performance on effectiveness metrics.
g. Number and percent of students who go on to some form of postsecondary education one and two years after graduation.
h. Number of students served by grade.
i. Number of learning plans developed during grade 8 that are reviewed annually by grade level.
j. Number of students served annually by grade level.
k. Number of students graduating high school with a career technical certificate or associates degree.

SUBJECT

Temporary/Proposed Rule, IDAPA 08.02.01 – Rules Governing Administration – Literacy Growth Targets

APPLICABLE STATUTES, RULE OR POLICY

Section 33-1616, Idaho Code

BACKGROUND/DISCUSSION

HB 526 (2016) amended Section 33-1616, Idaho Code requiring the Board set student trajectory growth to proficiency benchmarks and timelines for Kindergarten through grade 3. The proposed amendments add a new section to IDAPA 08.02.01 setting trajectory growth targets at the statewide level. Board staff in conjunction with feedback from the Idaho School Boards Association and the Idaho Association of School Administrators representatives and historical statewide performance levels on the statewide reading assessment are proposing the following growth targets by grade level.

Year 1 and 2:

Grade	**KG**	**1**	**2**	**3**
% Growth	1.0%	1.0%	1.0%	1.0%

Years 3 through 6:

Grade	**KG**	**1**	**2**	**3**
% Growth	1.8%	2.0%	1.6%	1.2%

The proposed growth targets, if met, would result in the following percent of students being at grade level in reading literacy by 2022 as follows:

Grade	**KG**	**1**	**2**	**3**
Percentage	88.4%	79.9%	76.7%	80.4%

The proposed rule would base these proficiency targets on the spring administration of the statewide reading assessment. The proposed targets would need to be re-evaluated each year and readjusted based on changes to the statewide reading assessment. Additionally, the rule would need to be adjusted for out years as we moved through the timeline.

It is also important to the note that these numbers are statewide growth targets and should not be applied to a single school or school district. Each school district will set their own benchmark or targets through their Continuous Improvement Plans. These targets will be based on their specific student populations and school district resources.

IMPACT

The approval of this proposed rule will bring the Board into compliance with new provisions contained in Section 33-1616, Idaho Code, and set statewide growth trajectory targets.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 08.01.02 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.

Temporary rules go into effect at the time of Board approval unless an alternative effective date is specified by Board action. To qualify as a temporary rule, the rule must meet one of three criteria: provides protection of public health, safety, or welfare; or is to come into compliance with deadlines in amendments to governing law or federal programs; or is conferring a benefit. This rule qualifies as temporary rules as it brings the state in compliance with HB 526 (2016) and Section 33-1616, Idaho Code.

Staff recommends approval.

BOARD ACTION

I move to approve the temporary and proposed rule IDAPA 08.02.01.802 Rules Governing Administration, Literacy Growth Targets as submitted in Attachment 1.

Moved by_____ Seconded by_____ Carried Yes____ No____

IDAPA 08
TITLE 02
CHAPTER 01

08.02.01 - RULES GOVERNING ADMINISTRATION

802. LITERACY GROWTH TARGETS.

01. Statewide Trajectory Growth Targets. Statewide trajectory annual growth targets are based on aggregated student performance on the spring administration of the statewide reading assessments. Local growth targets are set by the LEA based on the LEA's available resources and student demographics. Statewide trajectory growth targets indicated the statewide goal for year over year increases in the percentage of students reading at grade level.

a. Year 1 and 2:
i. Kindergarten: one percent (1%).
ii. Grade one: one percent (1%).
iii. Grade two: one percent (1%).
iv. Grade three: one percent (1%).
b. Year 3, 4, 5 and 6:
i. Kindergarten: one point eight percent (1.8%).
ii. Grade one: two percent (2%).
iii. Grade two: one point six percent (1.6%).
iv. Grade three: one point two percent (1.2%).

02. Annual Review. The State Board of Education will review the statewide student proficiency levels and the statewide trajectory growth targets annually and adjust as appropriate based on statewide progress.

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SUBJECT

Temporary/Proposed Rule, IDAPA 08.02.01 – Rules Governing Administration – Statewide Average Class Size

APPLICABLE STATUTES, RULE OR POLICY

Section 33-1616, Idaho Code

BACKGROUND/DISCUSSION

HB 476 (2016) amended Section 33-1004, Idaho Code setting additional provisions for determining the statewide average class size that is used in calculations related to school district staff allowances. Prior to Fiscal Year 2016 (FY 2016), school districts were allowed to employ 9.5% fewer positions than what was funded based on their instruction and pupil service staff allowances. Beginning in FY 2016, this percentage is reduced by 1% for each year the school districts average class size was at least one (1) student greater than the statewide average class size.

Pursuant to Section 33-1004, Idaho Code the determination of this factor must be based on "multiple figures determined through analysis of like and similarly situated districts and use of the divisor breakdown established in Section 33-1002, Idaho Code." The divisor breakdown in Section 33-1002, Idaho Code establishes divisors for school districts based on grade levels and average daily attendance calculations, as well as divisors for alternative schools. The Board and Department of Education staff analyzed the groupings of school districts based on the various divisors applied to a single school district.

The proposed rule amendments would add a new section to IDAPA 08.02.01, Rules Governing Administration setting out the provisions for determining the statewide average class size based on the divisors specified in Section 33-1002, Idaho Code. The proposed breakdown would be as follows:

Group 1. Group 1 shall consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades 1 through 3 and twenty-three (23) for grades 4 through 6, and a secondary divisor of eighteen point five (18.5).

Group 2. Group 2 will consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades 1 through 3 and twenty-three (23) for grades 4 through 6, and a secondary divisor less than 18.5.

Group 3. Group 3 will consist of school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of nineteen (19) or twenty (20) for grades 1 through 6, and a secondary divisor of less than eighteen point five (18.5).

Group 4. Group 4 will consist on school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of less than nineteen (19) for

grades 1 through 6, and a secondary divisor of less than eighteen point five (18.5).

The proposed groupings were shared with the Idaho School Boards Association and Idaho Association of School Administrators representatives and they were comfortable with the analysis and subsequent groupings.

IMPACT

Approval of the temporary and proposed rule would set out the method by which the statewide average class size for the use in support unit calculations is determined.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 08.01.02 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.

Temporary rules go into effect at the time of Board approval unless an alternative effective date is specified by Board action. To qualify as a temporary rule, the rule must meet one of three criteria: provides protection of public health, safety, or welfare; or is to come into compliance with deadlines in amendments to governing law or federal programs; or is conferring a benefit. This rule qualifies as temporary rules as it brings the state in compliance with HB 476 (2016) and Section 33-1004, Idaho Code.

Staff recommends approval.

BOARD ACTION

I move to approve the temporary and proposed rule IDAPA 08.02.01.803 Rules Governing Administration, Statewide Average Class Size as submitted in Attachment 1.

Moved by_____ Seconded by_____ Carried Yes____ No____

IDAPA 08
TITLE 02
CHAPTER 01

08.02.01 - RULES GOVERNING ADMINISTRATION

803. STATEWIDE AVERAGE CLASS SIZE. For the purpose of determining the statewide average class sized used in school district staff allowance calculations, school districts shall be grouped as follows:

01. Group 1. Group 1 shall consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades 1 through 3 and twenty-three (23) for grades 4 through 6, and a secondary divisor of eighteen point five (18.5).

02. Group 2. Group 2 will consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades 1 through 3 and twenty-three (23) for grades 4 through 6, and a secondary divisor less than 18.5.

03. Group 3. Group 3 will consist of school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of nineteen (19) or twenty (20) for grades 1 through 6, and a secondary divisor of less than eighteen point five (18.5).

04. Group 4. Group 4 will consist on school districts with an elementary divisors, pursuant to Section 33-1004, Idaho Code, of less than nineteen (19) for grades 1 through 6, and a secondary divisor of less than eighteen point five (18.5).

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SUBJECT

Proposed Rule IDAPA 08.02.02 – Rules Governing Uniformity – Teacher Certification Requirements

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)
May 2015	Board approved a temporary rule broadening the language regarding the alternate route to certification – content specialist.
August 2015	Board approved proposed rule amendments reorganizing the teacher certification section and adding language necessary due to the adoption of the career ladder.
November 2015	Board approved pending rule amendments reorganizing the teacher certification requirement (IDAPA 08.02.02)

APPLICABLE STATUTE, RULE, OR POLICY

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

BACKGROUND/DISCUSSION

In late 2014, as part of the of the Career Ladder subcommittee work on tiered certification, it was discovered that there were a number of current practices regarding teacher certification that were not in alignment with Idaho statute or Idaho Administrative Code. Those practices that were not in alignment with Idaho statute were immediately corrected. In 2015 Board staff, working with the State Department of Education staff and additional education stakeholders, discussed those practices that had developed over time and the current certification requirements to identify which areas of the administrative rules should be changed and which practices needed to be changed to be compliant with Administrative Code. At the same time this group discussed issues around the state and national teacher shortage and ways that the certification requirements could be amended to maintain a high standards of professionalism while still providing flexibility to the school district. There was consensus from the group that there was not a desire to lower the minimum standards for certification and that there was a potential to do long term harm to the profession and students alike.

The group specifically discussed alternate and non-traditional routes that individuals could use to enter the teaching profession and the classroom. With the exception of small technical changes, it was felt that current requirements provide opportunities for individuals to enter the profession without following the traditional teacher preparation program route as well as pathways for individuals to add additional content area endorsements to their certificates. There was concern that in some areas our teacher mentoring programs were weak or under-resourced and it was felt that these programs were critical for assuring inexperienced teachers had the proper support in place to help them become effective teachers.

The majority of the proposed changes to IDAPA 08.02.02 address the issue of teachers assigned to classrooms outside of the grade ranges they are eligible to teach through their endorsements. Overall the group felt this change could result in increasing the pool of teachers that were available by removing the barrier of having to earn an additional certificate when in reality they were qualified to teach the subject areas and grade ranges if they met the endorsement requirements. This model would include the creation of additional grade ranges on some endorsements which would allow teachers to earn endorsements in those grade ranges they felt comfortable teaching in. At the same time, mechanisms would remain in place for teachers to earn additional endorsement for their certificates similar to the process for earning additional certificates.

The combination of the current standard elementary and secondary certificates address the issue of a teacher teaching outside of the grade range of their certificates without creating a disruption to individuals who currently hold certificates; this will ultimately result in the overall simplification of Idaho's standard instructional certificates.

Additional amendments to IDAPA 08.02.02 include; amendments to the administrator evaluation submittal timeline to bring them in alignment with legislative changes made during the 2016 Legislature; amendments to the certificated staff evaluations regarding student achievement to bring them into alignment with the student achievement requirements that are part of the career ladder; the creation of middle school/grades endorsement grade ranges; and updates to the occupational specialist certificates. The middle school/grades endorsements address the issue of individuals who have already obtained endorsements for grades 6 through 9 that did not previously exist and is in alignment with the single instructional certificate model.

IMPACT

The proposed amendments would result in simplifying Idaho's instructional certificates and resolve the issue of individuals teaching outside of their eligible grade ranges.

ATTACHMENTS

STAFF COMMENTS AND RECOMMENDATIONS

The proposed changes to the standard certificates will result in a need for additional review of some of the endorsements to assure full alignment. It is recommended that this work be conducted by the Professional Standards Commission for consideration by the Board in 2017. Those endorsements that were identified as needing immediate edits to work with the new certification model are being brought forward at this time.

Amendments to IDAPA 08.02.02 that have been proposed by the Professional Standards Commission that are impacted by these changes have been incorporated into the proposed rule amendments being considered.

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

Staff recommends approval.

BOARD ACTION

I move to approve changes to Proposed Rule 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 13, 2015. Copies of this document can be found on the Office of the State Board of Education website at http://www.boardofed.idaho.gov. (3-25-16)

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 15, 2013. 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. (3-20-14)

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 Saturday, 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, Boise, ID 83720-0027. The SBOE phone number is (208) 334-2270 and the SDE phone number is (208) 332-6800. (3-25-16)

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~~/~~ or school, either in-person or online. (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~~paraprofessional 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 Section 120 of these rules to include interventions based on the individual's strengths and areas of needed growth. (3-25-16)

07. 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 an individualized professional learning plan, has demonstrated measurable student achievement or growth and the ability to create student learning objectives, and is now being recommended for state certification. (3-25-16)

08. Local Education Agency (LEA). An Idaho public school district or charter school pursuant to Section 33-5203(7), Idaho Code. (3-25-16)

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

10. ~~Para-Educator~~Paraprofessional. ~~Aides and assistants employed by school districts to supplement instruction and provide additional assistance to students~~. A noncertificated individual who is employed by a school district or charter school to support educational programming. Paraprofessionals must work under the direct supervision of a properly certificated staff member for the areas they are providing support. Paraprofessionals cannot serve as the teacher of record and may not provide direct instruction to a student unless the paraprofessional is working under the direct supervision of a teacher. To qualify as a paraprofessional the individual must have completed at least two (2) years of study at an accredited postsecondary educational institution, obtained an associate degree or higher level degree; demonstrate through a state approved academic assessment knowledge of and the ability to assist in instructing or preparing students to be instructed as applicable to the academic areas they are providing support in. Individuals who do not meet these requirements will be considered classroom or instructional aides. (3-16-04)

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

12. **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 teacher's impact on student learning within a given interval of instruction based upon baseline data gathered at the beginning of the course. (3-25-16)

13. **Teacher Leader**. A teacher who facilitates the design and implementation of sustained, intensive, and job-embedded professional learning based on identified student and teacher needs. (3-25-16)

008. -- 011. **(RESERVED)**

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

015. 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. (3-25-16)

01. **~~Standard Elementary~~Standard Instructional Certificate**. A ~~Standard Elementary~~Standard Instructional Certificate makes an individual eligible to teach ~~grades Kindergarten (K) through eight (8)~~all grades, subject to the grade ranges and subject areas of the valid endorsement(s) attached to the certificate~~,~~. A standard instructional certificate ~~and~~ may be issued to any person who has a ~~bachelor's~~baccalaureate degree from an accredited college or university and who meets the following requirements: The Standard Instructional Certificate is valid for five (5) years. Six (6) semester credit hours are required every five (5) years in order to renew the certificate. ~~(3-25-16)~~

a. ~~Completion of the general education requirements at an accredited college or university is required. (3-25-16)~~

~~**b.** Meets the following p~~Professional education requirements: ~~(3-25-16)~~

i. Earned ~~A~~a minimum of twenty~~ four~~ (20~~4~~) semester credit hours, or thirty~~ six~~ (30~~6~~) quarter credit hours, in the philosophical, psychological, methodological foundations, instructional technology, and in the professional subject matter~~ of elementary education~~, which shall include at least ~~six~~ three (~~6~~3) semester credit hours, or ~~nine~~ four (~~9~~4) quarter credit hours, in ~~developmental~~ reading and its application to the content area; ~~. (3-25-16)~~

~~ii.~~ The required minimum credit hours must include at least six (6) semester credit hours, or nine (9) quarter credit hours, of ~~either~~ student teaching in~~ grades kindergarten through eight (K-8)~~, ~~or two (2) years of satisfactory experience as a teacher in grades kindergarten through eight (K-8)~~. the grade range and subject areas as applicable to the endorsement; and (3-25-16)

~~e~~**b.** Completed an approved teacher preparation program and have ~~A~~an institutional recommendation from an accredited college or university specifying the grade ranges and subjects for which they are eligible to receive an endorsement in; or

c. ~~v~~Verification of two (2) years of teaching experience in grades Kindergarten (K) through ~~eight~~ (~~8~~). Individuals seeking endorsement in a secondary grade range must complete preparation in at least two (2) fields of secondary teaching. One of the teaching fields must consist of at least thirty (30) semester credit hours, or forty-five (45) quarter credit hours and a second field of teaching consisting 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 two (2) teaching field requirements; and

~~**d.** 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 eight (8) or a K-12 endorsement shall be added to the Standard Elementary Certificate. (3-25-16)~~

~~e~~**d.** Proficiency in areas noted above is measured by completion of the credit hour requirements provided herein. Additionally, each candidate must meet or exceed the state qualifying score on the state board approved ~~elementary or secondary~~ content area and pedagogy assessments. ~~(3-25-16)~~

~~**02. 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: (3-25-16)~~

~~**a.** Completion of the general education requirements at an accredited college or university is required. (3-25-16)~~

~~**b.** Professional Education Requirements: (3-25-16)~~

~~i. 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. (3-25-16)~~

~~ii. 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). (3-25-16)~~

~~**c.** 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. (3-25-16)~~

~~**d.** 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). (3-25-16)~~

~~**e.** 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. (3-25-16)~~

~~**03. Blended Early Childhood Education / Early Childhood Special Education Certificate**. A Blended Early Childhood Education / Early Childhood Special Education Certificate makes an individual eligible to teach in any early childhood educational setting for youth from birth to grade three (3), including those who are at-risk or have developmental delays. This certificate may be issued to any person with a baccalaureate degree from an accredited college or university and who meets the following minimum requirements: (3-25-16)~~

~~**a.** Completion of the general education requirements at an accredited college or university is required. (3-25-16)~~

~~**b.** Meets the following professional education requirements: (3-25-16)~~

~~i. 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 childhood and early childhood special education shall include course work specific to the 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. (3-25-16)~~

~~ii. 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. (3-25-16)~~

~~**c.** An institutional recommendation from an accredited college or university. (3-25-16)~~

~~**d.** 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. (3-25-16)~~

~~**04. Exceptional Child Certificate**. Holders of this certificate are authorized to work with children who have been identified as having an educational impairment. (3-25-16)~~

~~**a.** 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. (3-25-16)~~

~~**b.** Exceptional Child Generalist Endorsement (K-12). The Exceptional Child Generalist K-12 endorsement is non-categorical and allows one 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 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: (3-25-16)~~

~~i. Completion of a baccalaureate degree from an accredited college or university; (3-25-16)~~

~~ii. 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; (3-25-16)~~

~~iii. Completion of thirty (30) semester credit hours in special education, or closely related areas, as part of an approved special education program; and (3-25-16)~~

~~iv. Each candidate must have a qualifying score on an approved core content assessment and a second assessment related to the specific endorsement requested. (3-25-16)~~

~~**c.** 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: (3-25-16)~~

~~i. 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. (3-25-16)~~

~~**d.** 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: (3-25-16)~~

~~i. Completion of a baccalaureate degree from an accredited college or university; (3-25-16)~~

~~ii. 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 (3-25-16)~~

~~iii. 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; and (3-25-16)~~

~~iv. Completion of a program of a minimum of thirty-three (33) semester credit hours in the area of Deaf/Hard of Hearing and must receive an institutional recommendation specific to this endorsement from an accredited college or university. (3-25-16)~~

~~**e.** 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: (3-25-16)~~

~~i. Completion of a baccalaureate degree from an accredited college or university; (3-25-16)~~

~~ii. 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; (3-25-16)~~

~~iii. Completion of a program of a minimum of thirty (30) semester credit hours in the area of Visual Impairment and must receive an institutional recommendation specific to this endorsement from an accredited college or university; and (3-25-16)~~

~~iv. Each candidate must have a qualifying score on an approved core content assessment and a second assessment related to the specific endorsement requested. (3-25-16)~~

0~~5~~2. 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. (3-25-16)

a. 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. (3-25-16)

i. 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; and (3-25-16)

ii. An institutional recommendation is required for a Counselor K-12 Endorsement. (3-25-16)

b. 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: (3-25-16)

i. 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; (3-25-16)

ii. 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; (3-25-16)

iii. 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; and (3-25-16)

iv. Earn a current and valid National Certification for School Psychologists (NCSP) issued by the National Association of School Psychologists (NASP). (3-25-16)

c. 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 015.04.c.i. or 015.04.c.ii. in addition to the requirement of Subsection 015.04.c.iii. (3-25-16)

i. The candidate must possess a valid nursing (RN) license issued by the Idaho State Board of Nursing, and a ~~bachelor's~~baccalaureate degree in nursing, education, or a health-related field from an accredited institution. (3-25-16)

ii. 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: (3-25-16)

(1) Health program management; (3-25-16)

(2) Child and adolescent health issues; (3-25-16)

(3) Counseling, psychology, or social work; or (3-25-16)

(4) Methods of instruction. (3-25-16)

iii. Additionally, each candidate must have two (2) years' of full-time (or part-time equivalent) school nursing, community health nursing, or any area of pediatric, adolescent, or family nursing experience. (3-25-16)

d. Interim Endorsement - School Nurse. This ~~certificate~~ endorsement 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 Endorsement~~ School Nurse Endorsement - will be issued for three (3) years while the applicant is meeting the educational requirements, and it is not renewable. (3-25-16)

e. 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. The 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. (3-25-16)

f. 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. The 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. (3-25-16)

g. 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: (3-25-16)

i. A master's degree in social work from a postsecondary institution accredited by an organization recognized by the State Board of Education. The program must be currently approved by the state educational agency of the state in which the program was completed; and (3-25-16)

ii. 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. (3-25-16)

h. 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~~baccalaureate 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. (3-25-16)

0~~6~~3. 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. The Administrator Certificate is valid for five (5) years. Six (6) semester credit hours are required every five (5) years in order to renew the certificate. (3-25-16)

a. 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: (3-25-16)

i. Hold a master's degree from an accredited college or university. (3-25-16)

ii. Have four (4) years of full-time certificated experience working with students, Pre-K-12, while under contract in an accredited school setting. (3-25-16)

iii. 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. (3-25-16)

iv. 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. (3-25-16)

v. An institutional recommendation is required for a School Principal Pre-K-12 Endorsement. (3-25-16)

b. Superintendent Endorsement. To be eligible for an Administrator Certificate with a Superintendent endorsement, a candidate must have satisfied the following requirements: (3-25-16)

i. Hold an education specialist or doctorate degree or complete a comparable post-master's sixth year program at an accredited college or university. (3-25-16)

ii. Have four (4) years of full-time certificated/licensed experience working with Pre-K-12 students while under contract in an accredited school setting. (3-25-16)

iii. 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. (3-25-16)

iv. 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 additional to the competencies in the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership. (3-25-16)

v. An institutional recommendation is required for a School Superintendent Endorsement. (3-25-16)

c. 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: (3-25-16)

i. Hold a master's degree from an accredited college or university; (3-25-16)

ii. Have four (4) years of full-time certificated/licensed experience working with students Pre-K-12, while under contract in a school setting; (3-25-16)

iii. Obtain college or university verification of demonstrated the competencies of the Idaho Foundation Standards for School Administrators: School Climate, Collaborative Leadership, and Instructional Leadership; (3-25-16)

iv. 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; (3-25-16)

v. Have completed an administrative internship/practicum in the area of administration of special education and related services; and (3-25-16)

vi. An institutional recommendation is required for Director of Special Education and Related Services Pre-K-12 Endorsement. (3-25-16)

0~~7~~4. Certification Standards For Career Technical Educators. Teachers of career technical ~~classes~~ courses 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~~Standard Instructional ~~c~~Certificate or on an

Occupational Specialist Certificate. For postsecondary instructors and administrators, certification fees are set by the State Board for Career technical Education, and application processes are managed by the Division of Career Technical Education. (3-25-16)

0~~8~~5. Degree Based Career Technical Certification. (3-25-16)

a. Individuals graduating from an approved occupational teacher preparation degree program qualify to teach in the following five (5) disciplines: ~~Agricultural Science and Technology~~Agriculture and Natural Resources; Business Technology Education; Family and Consumer Sciences; Marketing Technology Education; and Engineering 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 a~~n~~ Division of Career Technical Education approved practicum in their respective field of specialization. (3-25-16)

b. The Career Technical Administrator certificate is required for an individual serving as an administrator, director, manager or coordinator of career technical education at the state, secondary or postsecondary level. Individuals must meet the following prerequisites to qualify for the Career technical Administrator Certificate. Equivalence in each area will be determined on an individual basis by the ~~State~~ Division of Career Technical Education. (3-25-16)

i. Qualify for or hold an Occupational Specialist certificate or hold an occupational endorsement on a secondary teaching certificate; (3-25-16)

ii. Provide evidence of a minimum of ~~three~~ four (~~3~~4) years' teaching, three (3) of which must be in an ~~occupational~~ career technical discipline; (3-25-16)

iii. Hold a master's degree; and (3-25-16)

iv. Complete at least fifteen (15) semester credits of administrative course work. Applicants must have completed: financial aspects of career technical education; administration of personnel; and legal aspects of career technical education, and statewide framework for teacher evaluations that includes a laboratory component. 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. (3-25-16)

v. To renew the Career Technical Administrator Certificate, individuals are required to complete six (6) semester hours of related course work or meet renewal requirements for career technical ~~teachers~~ instructional staff. (3-25-16)

c. 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~~Standard Instructional Certificate or qualify for an Occupational Specialist Certificate, plus complete course work in coordination of work-based learning programs. (3-25-16)

d. 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 Career technical Education; and Theories of Occupational Choice. (3-25-16)

0~~9~~6. Occupational Specialist Certificate. The occupational specialist certificates ~~is~~are ~~an~~ industry

based career technical certifications issued in lieu of a degree based career technical certificate. Certificate holders must meet the following eligibility requirements.: Persons who need to hold the Occupational Specialist Certificate include: secondary educators assigned to Health Professions Education and Technical Sciences; those in specialized occupational areas where specific degree-granting professional technical teacher education programs do not exist; and postsecondary career technical educators who teach courses with nine (9) to twelve (12) students per class. (3-25-16)

a. Applicants must: bBe 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: (3-25-16)

i. Have eight (8) years, or 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 or up to eight thousand (8,000) hours can be counted toward the eight (8) years on a month-to-month basis for journeyman training and/or completed postsecondary training in successfully completed as a full-time student in an approved/approvable, postsecondary, a career technical education program; or (3-25-16)

ii. Have a bachelor'sbaccalaureate degree in the specific occupation or related area, plus three (3) years or six-thousand (6,000) hours of full-time, successful, recent, gainful employment in the occupation; andor (3-25-16)

iii. Meet one (1) of the following: (3-25-16)

(1) Have at leastBe a journeyman level plus with two (2) years of recent, full-time, gainful, related work experience. A person who has or have 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 Sstate Aapprenticeship Aagency; (3-25-16)

(2) Pass an 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 (3-25-16)

(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. (3-25-16)

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: (3-25-16)

i. Within the first eighteen (18) months, the holder must complete the pre-service workshop sponsored by the State Division of Career technical Education and an approved course in professional technical methods and student assessment; (3-25-16)

ii. Complete a new-teacher induction workshop at the state or district level; (3-25-16)

iii. File a professional development plan with the State Division of Career technical Education; and (3-25-16)

iv. Within the three (3) year period of the Limited Occupational Specialist Certificate, the instructor

must satisfactorily ~~complete course work which includes~~ demonstrate competencies in ~~four (4) of the following:~~ Principles/Foundations of Occupational Education~~;~~ and Methods of Teaching Occupational Education. Additionally, the instructor must satisfactorily demonstrate competencies in two (2) of the following areas: Career Pathways and Guidance; Analysis, Integration, and Curriculum Development; and Measurement and Evaluation~~; and Methods of Teaching Occupational Education~~. (3-25-16)

c. Standard Occupational Specialist Certificate. This certificate is issued to individuals who have:

i. Completed the pre-service workshop sponsored by the Division of Career Technical Education and an approved course in career technical methods and student assessment; and ( )

ii. Completed a new-teacher induction workshop at the state or district level; and ( )

iii. Can satisfactorily demonstrate competencies in Principles/Foundations of Occupational Education and Methods of Teaching Occupational Education; and

iv. Can demonstrate competencies in two (2) of the following areas: Career Pathways and Guidance; Analysis, Integration, and Curriculum Development; and Measurement and Evaluation; and ( )

v. ~~have completed course work equivalent to that required of the Limited Occupational Specialist Certificate.~~ The Standard Occupational Specialist ~~c~~Certificate ~~must be renewed every~~ is valid for five (5) years~~, which shall include completion of six (6) semester credit hours of approved course work or~~ and must be renewed pursuant to section 060. Credit equivalencies will be based on verification of ~~two hundred forty~~one hundred twenty (~~240~~120) hours of approved related work experience or ~~ninety~~ forty-five (~~90~~45) hours of ~~attendance~~ participation at approved technical conferences, institutes, or workshops or any equivalent combination thereof, and file of a professional development plan for the next certification period. Work experience may be prorated at the rate of forty (40) hours per credit. Technical conference, institutes, or workshop participation may be prorated at the rate of fifteen (15) hours per credit. (3-25-16)

d. Advanced Occupational Specialist Certificate. This certificate is issued to individuals who ~~meet all the requirements outlined below~~have: (3-25-16)

i. Meet the requirements for the Standard Occupational Specialist Certificate; and (3-25-16)

ii. Can ~~P~~provide evidence of completion of a teacher training degree program or eighteen (18) semester credits of approved education related course work, such as educational methodology in the content area, in addition to the twelve (12) semester credits required for the Standard Occupational Specialist Certificate (a total of thirty (30) semester credits); and (3-25-16)

iii. File a new professional development plan for the next certification period; and (3-25-16)

iv. ~~This~~ The Advanced Occupational ~~c~~Certificate ~~must be renewed every~~ is valid for five (5) years and must be renewed pursuant to Section 060.~~, which shall include completion of six (6) semester credit hours of approved course work or submit~~At least three (3) educationally focused semester credits must be taken for university or college credit. ~~v~~Verification will be based on an official transcript. In addition to the minimum of three (3) semester credits, in-service activities or related work experience may be used. ~~of two hundred forty~~Credit equivalencies will be based on verification of one hundred twenty (~~240~~120) hours of approved related work experience or ~~ninety~~ forty five (~~90~~45) hours of ~~attendance~~ participation at approved technical conferences, institutes and workshops or any equivalent combination thereof, and file a new professional development plan for the next certification period. Work experience may be prorated at the rate of forty (40) hours per credit. Technical conference, institutes, or workshop participation may be prorated at the rate of fifteen (15) hours per credit. ~~(3-25-16)~~

~~10~~**07.** **Postsecondary Specialist**. A Postsecondary Specialist certificate will be granted to a current academic 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. (3-25-16)

a. 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). (3-25-16)

b. Fees. The fee is the same as currently in effect for an initial or renewal certificate as established in Section 066 of these rules. (3-25-16)

c. The candidate must meet the following qualifications: (3-25-16)

i. Hold a master's degree or higher in the content area being taught; (3-25-16)

ii. Be currently employed by the post-secondary institution in the content area to be taught; and (3-25-16)

iii. Complete and pass a criminal history background check as required according to Section 33-130, Idaho Code. (3-25-16)

~~11~~**08**. **American Indian Language**. 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. (3-25-16)

a. 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. (3-25-16)

b. 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 fee for undergoing a criminal history check pursuant to Section 33-130, Idaho Code. (3-25-16)

c. 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. (3-25-16)

~~12~~**09**. **Junior Reserved Officer Training Corps (Junior ROTC) Instructors**. (3-25-16)

a. 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. (3-25-16)

b. 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. (3-25-16)

c. Authorization Letter. Upon receiving the items identified in Subsections 015.12.a. and b., the State Department of Education shall issue a letter authorizing these individuals as Junior ROTC instructors. (3-25-16)

1~~3~~0. **Additional Renewal Requirements**. In addition to specific certificate or endorsement renewal requirements, applicants must meet the following renewal requirements as applicable: (3-25-16)

a. 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~~ must take one (1) of the three (3) courses developed that is most closely aligned with their current assignment prior to ~~September 1, 2014~~ July 1, 2019. 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~~ as long as said course is part of an official transcript or completed before September 1, 2013, and verified by the State Department of Education. 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 must successfully complete the "Mathematical Thinking for Instruction" course or another State Department of Education approved alternative course in order to recertify:

~~(3-25-16)~~(_____)

i. Each teacher holding an Early Childhood/Early Childhood Special Education Blended ~~Certificate~~ endorsement (Birth - Grade 3) who is employed by a school district or charter school as a K-3 multi-subject or special education teacher; ~~(3-25-16)~~(_____)

ii. Each teacher holding a ~~Standard Elementary~~Standard Instructional Certificate (K-8) who is employed by a school district or charter school as a K-6 multi-subject teacher; ~~(3-25-16)~~(_____)

iii. Each teacher holding a ~~Standard Secondary~~Standard Instructional Certificate (6-12) teaching in a mathematics content classroom (grade six (6) through grade twelve (12)) including Title I who is employed by a school district or charter school; and ~~(3-25-16)~~(_____)

iv. Each teacher holding a Standard Exceptional Child Generalist ~~Certificate~~ Endorsement ~~(K-12)~~ who is employed by a school district or charter school~~; and~~ as a special education teacher. ~~(3-25-16)~~(_____)

~~v. Each school administrator holding an Administrator Certificate (Pre-K-12) who is employed by a school district or charter school.~~ ~~(3-25-16)~~

b. 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. (3-25-16)

c. 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 must successfully complete an Idaho Comprehensive Literacy course in order to recertify:

(3-25-16)

i. Each teacher holding an Early Childhood/Early Childhood Special Education Blended ~~Certificate~~ Endorsement (Birth - Grade 3) who is employed by a school district or charter school; (3-25-16)

ii. Each teacher holding a ~~Standard Elementary~~Standard Instructional Certificate (K-8) who is employed by a school district or charter school; and (3-25-16)

iii. Each teacher holding a Standard Exceptional Child ~~Certificate~~ Generalist Endorsement ~~(K-12)~~ who

is employed by a school district or charter school. (3-25-16)

d. Administrator certificate renewal. In order to recertify, holders of an administrator certificate must complete a course consisting of a minimum of three (3) semester credits in the Idaho framework for teachers' evaluation pursuant to Section 33-1204, Idaho Code. Credits must be earned through an approved teacher preparation program and include a laboratory component. The laboratory component must include in-person or video observation and scoring of teacher performance using the statewide framework for teacher's evaluation. (3-25-16)

016. IDAHO INTERIM CERTIFICATE.
The State Department of Education or the Division of Career Technical Education, as applicable to the certificate, 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 pursuant to Section 33-4104, Idaho Code or engaged in an alternate route to ~~authorization~~ certification as prescribed herein. ~~An interim certificate is nonrenewable except under extenuating circumstances approved by the State Department of Education.~~ (3-25-16)

01. Interim Certificate Not Renewable. Interim certification is only available on a one-time basis per individual except under extenuating circumstances approved by the State Department of Education. It will be the responsibility of the individual to meet the requirements of the applicable alternate authorization route and to obtain a full Idaho Educator Credential during the term of the interim certificate.
(3-25-16)

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 Idaho Comprehensive Literacy course shall be a one-time requirement for full certification. (3-25-16)

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. (3-25-16)

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.~~ For all Idaho teachers working on interim certificates (alternate authorizations, nontraditional routes, or coming from out of the state), with an All Subjects K-8 endorsement or any mathematics endorsement must complete~~ion of~~ a state approved Mathematical Thinking for Instruction, or another State Department of Education approved alternative course, as a one-time requirement to receive a standard instructional, standard occupational, or advanced occupational certificate. ( ) ~~(3-25-16)~~

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)

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)

06. 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)

017. 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)

018. 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~~Standard Instructional 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 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)

0~~2~~3. Alternat~~e~~ive Authorization ~~Preparation Program~~to Endorsement. Candidates shall meet all requirements for the endorsement as provided herein. (3-25-16)

a. Option I - An official statement of competency in a teaching area or field is acceptable in lieu of courses for a teaching field if such statements originate in the department or division of the accredited college or university in which the competency is established and are approved by the director of teacher education of the recommending college or university.

~~a~~b. Option II - National Board. By earning National Board Certification in content specific areas, teachers may gain endorsement in a corresponding subject area. (3-25-16)

~~b~~c. Option III - Master's degree or higher. By earning a graduate degree in a content specific area, candidates may add an endorsement in that same content area to a valid certificate. (3-25-16)

~~c~~d. Option ~~III~~IV - Testing and/or Assessment. Two (2) pathways are available to some teachers, depending upon endorsement(s) already held. (3-25-16)

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. (3-25-16)

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. (3-25-16)

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~~.~~; or (3-16-04)

b. Occupational teacher preparation pursuant to Section 015.07 through 015.09~~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. All Subjects (K-8). Allows one to teach in any educational setting (K-8). Twenty (20) semester credit hours, or thirty (30) quarter credit hours in the philosophical, psychological, methodological foundations, instructional technology, and professional subject matter must be in elementary education.

03. Art (K-~~12~~8, 5-9, 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 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 (5-9 or 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. Birth through Grade Three (3). The Birth through Grade Three (3) endorsement allows one to teach in any educational setting birth through grade three (3). To be eligible, a candidate must have satisfied the following requirements. ~~(3-25-16)~~( )

a. 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 shall include course work specific to the 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. ~~(3-25-16)~~( )

b. The required credit hours here in, shall include not less than six (6) semester credit hours, or nine (9) quarter credit hours, of early childhood student teaching (K-3) and field experiences birth to age three (3) programs, and age three (3) to age five (5) programs, and three (3) semester credit hours, or four (4) quarter credit hours, of developmental reading. ~~(3-25-16)~~( )

d. Proficiency in areas noted above is measured by ~~completion of the credit hour requirements provided herein.~~ one of the following options: ~~(3-25-16)~~( )

i. Option I: Demonstration of competency within the Idaho Standards for Blended Early Childhood Education/Early Childhood Special Education Teachers. Additionally, each candidate shall meet or exceed the state qualifying score on approved early-childhood assessments. ~~(3-25-16)~~( )

ii. Option II: Completion of a CAEP accredited program in blended early childhood education/early childhood special education birth through grade three (3). Additionally, each candidate shall meet or exceed the state qualifying score on approved early-childhood assessments. ( )

0~~6~~7. 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; Career 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~~.~~; or (4-4-13)

b. Occupational teacher preparation pursuant to Section 015.07 through 015.09~~that relates to the appropriate area(s) as provided in Sections 034 through 038.~~ (4-4-13)

0~~7~~8. Chemistry (5-9 or 6-12). Twenty (20) semester credit hours in the area of Chemistry. (3-16-04)

0~~8~~9. Communication (5-9 or 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)

~~09~~10. Computer Science (5-9 or 6-12). Twenty (20) semester credit hours of course work in Computer Science, including course work in the following areas: data representation and abstraction; design, development, and testing algorithms; software development process; digital devices systems network; and the role of computer science and its impact on the modern world. (3-25-16)

~~**10. 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). (3-25-16)~~

~~**a.** 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: (3-25-16)~~

~~i. 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: (3-25-16)~~

~~(1) Assessment of learning behaviors; (3-25-16)~~

~~(2) Individualization of instructional programs based on educational diagnosis; (3-25-16)~~

~~(3) Behavioral and/or classroom management techniques; (3-25-16)~~

~~(4) Program implementation and supervision; (3-25-16)~~

~~(5) Knowledge in use of current methods, materials and resources available and management and operation of media centers; (3-25-16)~~

~~(6) Ability in identifying and utilizing community or agency resources and support services; and (3-25-16)~~

~~(7) Counseling skills and guidance of professional staff. (3-25-16)~~

~~ii. 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. (3-25-16)~~

~~iii. 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: (3-25-16)~~

~~(1) Ninety (90) contact hours to include a combination of face-to-face and field-based professional development activities; and (3-25-16)~~

~~(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: (3-25-16)~~

~~(a) Understanding Adults As Learners to Support Professional Learning Communities; (3-25-16)~~

~~(b) Accessing and Using Research to Improve Practice and Student Achievement; (3-25-16)~~

~~(c) Promoting Professional Learning for Continuous Improvement; (3-25-16)~~

~~(d) Facilitating Improvements in Instruction and Student Learning; (3-25-16)~~

~~(e) Using Assessments and Data for School and District Improvement; (3-25-16)~~

~~(f) Improving Outreach and Collaboration with Families and Community; and (3-25-16)~~

~~(g) Advocating for Student Learning and the Profession. (3-25-16)~~

~~iv. Not less than one (1) semester of successful experience as a special education teacher working with classroom teachers in elementary or secondary schools. (3-25-16)~~

~~**b.** 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: (3-25-16)~~

~~i. 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: (3-25-16)~~

~~(1) Structural Components of Mathematics; (3-25-16)~~

~~(2) Modeling, Justification, Proof and Generalization; (3-25-16)~~

~~(3) Mathematical Knowledge for Teaching (Ball, Thames, & Phelps, 2008). (3-25-16)~~

~~ii. Experience. Completion of a minimum of three (3) years' teaching experience. (3-25-16)~~

~~iii. 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: (3-25-16)~~

~~(1) Ninety (90) contact hours to include a combination of face-to-face and field based professional development activities; and (3-25-16)~~

~~(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: (3-25-16)~~

~~(a) Understanding Adults As Learners to Support Professional Learning Communities; (3-25-16)~~

~~(b) Accessing and Using Research to Improve Practice and Student Achievement; (3-25-16)~~

~~(c) Promoting Professional Learning for Continuous Improvement; (3-25-16)~~

~~(d) Facilitating Improvements in Instruction and Student Learning; (3-25-16)~~

~~(e) Using Assessments and Data for School and District Improvement; (3-25-16)~~

~~(f) Improving Outreach and Collaboration with Families and Community; and (3-25-16)~~

~~(g) Advocating for Student Learning and the Profession. (3-25-16)~~

~~iv. Not less than one (1) semester of successful experience as a mathematics teacher working with classroom teachers in elementary or secondary schools. (3-25-16)~~

11. Deaf/Hard of Hearing (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 a Deaf/Hard of Hearing endorsement, a candidate must have satisfied the following requirements: (3-25-16)

i. Completion of a baccalaureate degree from an accredited college or university; (3-25-16)

ii. 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 (3-25-16)

iii. 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; and (3-25-16)

iv. Completion of a program of a minimum of thirty-three (33) semester credit hours in the area of Deaf/Hard of Hearing and must receive an institutional recommendation specific to this endorsement from an accredited college or university. (3-25-16)

11. Drama (K-8, 5-9 or 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. Early Childhood Special Education (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 in conjunction with the Generalist K-12. To be eligible a candidate must have satisfied the following requirements: (3-25-16)

i. 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 student teaching at the Pre-K - 3 grades. (3-25-16)

01. Earth Science (5-9 or 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)

03. Engineering (5-9 or 6-12).

a. Twenty (20) semester credit hours of engineering course work~~.~~; or

b. Occupational teacher preparation pursuant to Section 015.07 through 015.09. (3-25-16)

04. English (5-9 or 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)

05. 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)

06. Exceptional Child Generalist (K-8, 6-12, or K-12). The Exceptional Child Generalist endorsement is non-categorical and allows one to teach in any special education setting, applicable to the grade range of the endorsement. 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 student teaching in an elementary or secondary special education setting. To be eligible, a candidate must have satisfied the following requirements: (3-25-16)

iii. Completion of thirty (30) semester credit hours in special education, or closely related areas, as part of an approved special education program; and (3-25-16)

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

assessment related to the specific endorsement requested. (3-25-16)

~~06~~07. Family and Consumer Sciences (5-9 or 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; Career technical Student Organization (PTSO) leadership; and Integration of Family Consumer Sciences or Family Consumer Science Methods; or~~.~~ (4-4-13)

b. Occupational teacher preparation ~~that relates to the appropriate area(s) as provided in Sections 034 through 038~~pursuant to Section 015.07 through 015.09. (4-4-13)

~~07~~08. Geography (5-9 or 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. The ~~R~~remaining semester credit hours must be selected from Geography. (4-11-06)

~~08~~09. Geology (5-9 or 6-12). Twenty (20) semester credit hours in the area of Geology. (3-16-04)

~~09~~10. 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)

~~10~~11. Health (6-12 or K-12, 5-9). 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)

~~11~~12. History (5-9 or 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)

~~12~~13. Humanities (5-9 or 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)

~~13~~14. Journalism (5-9 or 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)

~~14~~15. 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 Career technical Student Organization (PTSO) Leadership, with remaining credit hours in Entrepreneurship; Hospitality and Tourism; Finance; or Accounting. (4-4-13)

b. Occupational teacher preparation pursuant to Section 015.07 through 015.09~~that relates to the appropriate area(s) as provided in Sections 034 through 038~~. (4-4-13)

02. Mathematics - Basic (5-9 or 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 (5-9 or 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 (5-9 or 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 (5-9 or 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)

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)

06. Online-Teacher Endorsement (Pre-K-12). To be eligible for an Online-Teacher Endorsement (Pre-K-12), a candidate must have satisfied the following requirements: (3-25-16)

a. Meets the states' professional teaching and/or licensure standards and is qualified to teach in his/her field of study. (3-25-16)

b. Provides evidence of online experience or course time both as a student and as a learner, and demonstrates online learning and teaching proficiency. (3-25-16)

c. Has completed an eight (8) week online teaching internship in a Pre-K-12 program, or has 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. (3-25-16)

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. (3-25-16)

e. Demonstrates proficiency in the Idaho Standards for Online Teachers including the following competencies: (3-25-16)

i. Knowledge of Online Education and Human Development; (3-25-16)

ii. Facilitate and Inspire Student Learning and Creativity; (3-25-16)

iii. Design and Develop Digital-Age Learning Experiences and Assessments Standards; (3-25-16)

iv. Model Digital-Age Work and Learning; Promote and Model Digital Citizenship and Responsibility Standards; and (3-25-16)

v. Engage in Professional Growth and Leadership. (3-25-16)

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

08. Physical Education (PE) (5-9 or 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)

~~**09. Physical Education/Health**. Must have an endorsement in both physical education and health. (3-30-07)~~

~~**10**~~**09. Physical Science (5-9 or 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)

1~~1~~0. Psychology (5-9 or ~~.~~6-12) Twenty (20) semester credit hours in the area of Psychology. (3-16-04)

11. Pre-K through Grade Six (6) Endorsement. The Pre-K through Grade Six (6) endorsement allows one to teach in any Pre-K through grade six (6) education setting, except in a middle school setting. This endorsement may only be added to the Blended Early Childhood Education/Early Childhood Special Education Certificate in conjunction with the Birth through Grade Three (3) endorsement. To be eligible for a Blended Early

Childhood Education/Early Childhood Special Education Certificate with an Early Pre-K through Grade Six (6) endorsement, a candidate must have satisfied the following requirements: ( )

i. Completion of a program of a minimum of twenty (20) semester credit hours in the area of Elementary Education to include coursework in each of the following areas: methodology (literacy, mathematics, science, physical education, art); content knowledge (mathematics, literacy, science, health, art); technology; assessment; and, field experiences in grades four (4) through six (6). ( )

12. Social Studies (5-9 or 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)

13. Sociology (5-9 or 6-12). Twenty (20) semester credit hours in the area of Sociology. (3-16-04)

14. Sociology/Anthropology (5-9 or 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)

15. 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)

16. Technology Education (5-9 or 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 pursuant to Section 015.07 through 015.09~~that relates to the appropriate area(s) as provided in Subsections 015.07 through 015.09~~. (3-25-16)

17. 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 a Visually Impaired endorsement, a candidate must have satisfied the following requirements: (3-25-16)

i. Completion of a baccalaureate degree from an accredited college or university; (3-25-16)

ii. 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; (3-25-16)

iii. Completion of a program of a minimum of thirty (30) semester credit hours in the area of Visual Impairment and must receive an institutional recommendation specific to this endorsement from an accredited college or university; and (3-25-16)

iv. Each candidate must have a qualifying score on an approved core content assessment and a second assessment related to the specific endorsement requested. (3-25-16)

1~~7~~8. World Language (5-9, 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~~019. -- 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-Educator~~ Paraprofessionals. ~~and~~ ~~I~~individuals with strong subject matter background but limited experience with educational methodology shall follow the alternate certification requirements provided herein. Individuals who are currently certificated to teach but who are in need of an emergency ~~certification~~ endorsement in another area may obtain an endorsement through an alternate route as described in subsection 021.02 of these rules. (3-25-16)

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 one (1) year and may be renewed for two (2) additional years with evidence of satisfactory progress toward completion of an approved alternative route preparation program. Interim certification is valid for not more than three (3) years total. (3-25-16)

a. Prior to application, a candidate must hold a ~~Bachelor's~~baccalaureate degree, and a valid Idaho ~~teacher~~ instructional 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. (3-25-16)

b. A candidate must participate in an approved alternative route preparation program. (3-25-16)

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 maintain eligibility for renewal; and (3-25-16)

ii. The participating college/university shall provide procedures to assess and credit equivalent knowledge, dispositions, and relevant life/work experiences. (3-20-04)

02. 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 one (1) year and may be renewed for two (2) additional years with evidence of satisfactory progress toward completion of an approved alternative route preparation program. Interim certification is valid for not more than three (3) years total. (3-25-16)

a. Initial Qualifications. (3-20-04)

i. A candidate must hold a ~~Bachelor's~~baccalaureate degree or have completed all of the requirements of a ~~Bachelor's~~baccalaureate degree except the student teaching or practicum portion; and (3-25-16)

ii. The hiring district shall ensure the candidate is 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. (3-25-16)

b. Alternative Route Preparation Program -- College/University Preparation or Other State Board Approved Certification Program. (3-25-16)

i. At the time 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 the preparation needed to meet the Idaho Standards for Initial Certification of Professional School Personnel. This plan must include mentoring and a minimum of one (1) classroom observation by the mentor per month, which will include feedback and reflection, while teaching under the alternative authorization. The plan must include annual progress goals that must be met for annual renewal; (3-25-16)

ii. The candidate must complete~~s~~ ~~eight (8) to sixteen (16) weeks~~ a minimum of nine semester credit hours or its equivalent of accelerated study in education pedagogy prior to the end of the first year of authorization. The number of required ~~weeks~~ credits will be specified in the consortium developed plan; (3-25-16)

iii. At the time of authorization the candidate must enroll in and 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 for annual renewal and to receive a recommendation for full certification; (3-25-16)

iv. 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; and (3-25-16)

v. 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)

03. Non-Traditional Route to Teacher Certification. An individual may acquire interim certification as found in Section 016 of these rules through an approved non-traditional route certification program. (3-25-16)

a. Individuals who possess a ~~bachelor's~~baccalaureate degree or higher from an accredited institution of higher education may utilize this non-traditional route to an interim Idaho Teacher Certification. (3-25-16)

b. To complete this non-traditional route, the individual must: (3-25-16)

i. Complete a Board approved program; (4-6-05)

ii. Pass the Board approved pedagogy and content knowledge exams; and (4-6-05)

iii. Complete the Idaho Department of Education Criminal History Check. (4-6-05)

c. 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 Department. During the term of the interim certificate, teaching by the individual must be done in conjunction with a two (2) year 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 including an interim certificate. (3-25-16)

d. 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 valid renewable Idaho Educator Credential during the three (3) year interim certification term. (3-25-16)

e. Types of Certificates and Endorsements. The non-traditional route may be used for first-time certification, subsequent certificates, and additional endorsements. (3-20-14)

04. 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 defined in Subsection 015.04 of these rules. The alternate authorization is valid for one (1) year and may be renewed for two (2) additional years with evidence of satisfactory progress toward completion of an approved alternative route preparation program. Interim certification is valid for not more than three (3) years total. (3-25-16)

a. Initial Qualifications. The applicant must complete the following: (4-2-08)

i. Prior to application, a candidate must hold a master's degree and hold a current Idaho license from the Bureau of Occupational Licenses in the area of desired certification; and (3-25-16)

ii. The employing school district must provide supportive information attesting to the ability of the candidate to fill the position. (4-2-08)

b. Alternative Route Preparation Program. (4-2-08)

i. The candidate must work toward completion of the alternative route preparation program through a participating college/university and the employing school district. The alternative route preparation program must include annual progress goals. (3-25-16)

ii. 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)

iii. 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)

iv. The candidate must meet all requirements for the endorsement/certificate as provided herein. (4-2-08)

05. Alternate Authorization Renewal. Annual renewal will be based on the school year and satisfactory progress toward completion of the applicable alternate authorization requirements. (3-25-16)

043. -- 059. (RESERVED)

060. APPLICATION PROCEDURES / PROFESSIONAL DEVELOPMENT.

~~01. Application for Idaho Certificate.~~ To obtain a new, renew, or reinstate an Idaho ~~certificate~~Educator Credential, the applicant ~~will~~ must submit an application on a form supplied by the State Department of Education or the ~~State~~ Division of Career Technical Education as applicable to the type certificate. All applications for new, renewed or reinstated occupational specialist certificates must be submitted to the Division of Career Technical Education. The following requirements must be met to renew or reinstate an Idaho Educator Credential. (3-16-04)

~~02~~01. 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~~in-service training to apply toward recertification, except occupational specialist certificates, 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 ~~Career Technical~~Occupational Specialist Certificates must be made through the ~~must receive State~~ Division of Career Technical Education. Applicants must receive prior approval of ~~inservice~~in-service 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~~in-service 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 or the Division of Career Technical Education, as applicable to the certificate type, 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~~02. State Board of Education Professional Development Requirements. (4-1-97)

a. Districts will have professional development plans. (4-1-97)

b. All certificated personnel will be required to complete at least six (6) semester hours or the equivalent within the five (5) year period of validity of the certificate being renewed. (4-1-97)

c. At least three (3) semester credits will be taken for university or college credit. Verification will be by official transcript. (4-1-97)

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)

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 sic (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)

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 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. (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)

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)

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)

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)

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 to issue an Administrative Complaint. (3-20-04)

078. -- 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 is the Council for the Accreditation of Educator Preparation (CAEP) and the 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. (3-25-16)

02. **Non-Traditional Teacher Preparation Program**. The State Board of Education must approve all non-traditional route to teacher certification programs. The programs must include, at a minimum, the following components: (3-25-16)

a. Pre-assessment of teaching and content knowledge; (3-25-16)

b. An academic advisor with knowledge of the prescribed instruction area; (3-25-16)

c. Exams of pedagogy and content knowledge; and (3-25-16)

d. Be aligned to the Idaho Standards for the Initial Certification of Professional School Personnel. (3-25-16)

03. **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)

04. **Continuing Approval**. (3-29-12)

a. The state of Idaho will follow the Council for Accreditation of Educator Preparation (CAEP) 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. (3-25-16)

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)

c. All approved non-traditional teacher preparation programs will be reviewed for continued approval on the same schedule as traditional teacher preparation programs. Reviews will include determination of continued alignment with the approved Idaho Standards for the Initial Certification of Professional School Personnel and effectiveness of program completers. (3-25-16)

05. 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 state review team expenses for on-site teacher preparation reviews from its budget. (3-25-16)

b. Requesting institutions pay for all other expenses related to on-site teacher preparation program reviews, including the standards review. (3-25-16)

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 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. BULLYING, HARASSMENT AND INTIMIDATION PREVENTION AND RESPONSE.

01. Dissemination of Information. School districts and charter schools shall make reasonable efforts to ensure that information on harassment, intimidation and bullying of students is disseminated annually to all school personnel, parents and students. (2-18-16)T

02. Professional Development. The content of ongoing professional development for school staff related to bullying, harassment and intimidation shall include: (2-18-16)T

a. School philosophy regarding school climate and student behavior expectations; (2-18-16)T

b. Definitions of bullying, harassment, and intimidation; (2-18-16)T

c. School prevention strategies or programs including the identification of materials to be distributed annually to students and parents; (2-18-16)T

d. Expectations of staff intervention for bullying, harassment, and intimidation; (2-18-16)T

e. School process for responding to bullying, harassment, and intimidation including the reporting process for students and staff, investigation protocol, the involvement of law enforcement, related student support services and parental involvement; and (2-18-16)T

f. Other topics as determined appropriate by the school district or charter school. (2-18-16)T

03. Graduated Consequences. Graduated consequences for a student who commits acts of bullying, harassment, and intimidation shall include a series of measures proportional to the act(s) committed and appropriate to the severity of the violation as determined by the school board of trustees, school administrators, or designated personnel depending upon the level of discipline. Graduated consequences should be in accordance with the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. (2-18-16)T

a. Graduated consequences may include, but are not limited to: (2-18-16)T

i. Meeting with the school counselor; (2-18-16)T

ii. Meeting with the school principal and student's parents or guardian; (2-18-16)T

iii. Detention, suspension or special programs; and (2-18-16)T

iv. Expulsion. (2-18-16)T

b. The graduated consequences are not intended to prevent or prohibit the referral of a student who commits acts of harassment, intimidation or bullying to available outside counseling services, and/or to law enforcement pursuant to Section 18-917A, Idaho Code. (2-18-16)T

c. Students with disabilities may be afforded additional protections under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act; school districts and charter schools shall comply with applicable state and federal law when disciplining students with individualized education programs (IEPs) or 504 plans for committing acts of bullying, harassment, and intimidation. (2-18-16)T

04. Intervention. School district and charter school employees are authorized and expected to intervene or facilitate intervention on behalf of students facing harassment, intimidation, and bullying. Intervention shall be reasonably calculated to: (2-18-16)T

a. Correct the problem behavior; (2-18-16)T

b. Prevent another occurrence of the problem; (2-18-16)T

c. Protect and provide support for the victim of the act; and (2-18-16)T

d. Take corrective action for documented systemic problems related to harassment, intimidation, or bullying. (2-18-16)T

05. Reporting. Annual reporting will occur at the end of the school year through an aggregate report identifying the total number of bullying incidents by school districts and charter schools, grade level, gender, and repeat offenders. The State Department of Education shall provide school districts and charter schools with the guidelines and forms for reporting. (2-18-16)T

112. -- 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 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)
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,~~ Instructional staff evaluation results must include ~~growth in~~measurable student achievement, as defined in Section 33-1001, Idaho Code, ~~as measured by Idaho's statewide assessment for Federal accountability purposes must be included~~as applicable to the subjects and grade ranges taught by the instructional staff. All other certificated staff evaluations must include measurable student achievement or student success indicators, as defined in Section 33-1001, Idaho Code, as applicable to the position. 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. 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 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)

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 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)

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~~June 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.~~in accordance with the approved policies of the Idaho State Board of Education Data Management Council. (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)

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)

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)

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)

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)

CAREER TECHNICAL EDUCATION

SUBJECT

Proposed Rule IDAPA 08.02.03., Career Technical Education Secondary Programs – Content Standards

REFERENCE

June 2016 Board approved the career technical secondary program standards.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-118, Idaho Code
Section 33-1612, Idaho Code
Section 33-2211, Idaho Code
Idaho Administrative code, IDAPA 08.02.03, Rules Governing Thoroughness

BACKGROUND/DISCUSSION

Similar to academic programs, content standards exist for our career technical programs. These content standards are developed with secondary and postsecondary instructors and industry representatives. In the past, interested stakeholders were pulled together to determine the existing program content standards. This work set the basis for the technical program at the secondary level and prepares the foundation for secondary program testing. Postsecondary instructors provided guidance into the postsecondary program, and industry representatives validated the outcomes with current needs of the particular industry occupations supported by the program.

Once the technical standards and student learning outcomes were developed and vetted through the initial development team, the learning outcomes were shared with a larger group of industry representatives. The Division of Career Technical Education (Division) asked industry representatives to rank each learning outcome as to their importance in the workplace. Each learning outcome was then scored and reflected in the program Technical Skills Assessment based on the level of criticality established by the representative community.

Each secondary career-technical program is evaluated regularly by the Division and held to these standards. Currently these standards are standalone documents updated and maintained by the Division. Board approval and subsequent incorporation of these standards into administrative code will elevate the importance of these standards to the same level as academic content standards, provide continuity between those career technical content areas that are taught by academic instructors and career technical instructors, and provide for more transparency in the standards setting process when future updates are made.

IMPACT

Approval of the proposed rule changes will add the Career Technical Education (CTE) content standards, approved by the Board at the June 2016 Board meeting, into administrative rule in a similar fashion as the existing academic content standards. The standards being incorporated are the existing CTE content standards that are currently being used by our secondary CTE programs.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 08.02.03.004 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.

BOARD ACTION

I move to approve changes to the proposed rule IDAPA 08.02.03.004, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 08
TITLE 02
CHAPTER 03

08.02.03 - RULES GOVERNING THOROUGHNESS

004. INCORPORATION BY REFERENCE.
The following documents are incorporated into this rule: (3-30-07)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (3-29-10)

a. Driver Education, as revised and adopted on August 21, 2008. (3-29-10)

b. Health, as revised and adopted on April 17, 2009. (3-29-10)

c. Humanities Categories: (3-29-10)

i. Art, as revised and adopted on April 17, 2009; (3-29-10)

ii. Dance, as revised and adopted on April 17, 2009; (3-29-10)

iii. Drama, as revised and adopted on April 17, 2009; (3-29-10)

iv. Interdisciplinary, as revised and adopted on April 17, 2009; (3-29-10)

v. Music, as revised and adopted on April 17, 2009; (3-29-10)

vi. World languages, as revised and adopted on April 17, 2009; (3-29-10)

d. English Language Arts, as revised and adopted on August 11, 2010. (4-7-11)

e. Limited English Proficiency, as revised and adopted on August 21, 2008. (3-29-10)

f. Mathematics, as revised and adopted on August 11, 2010. (4-7-11)

g. Physical Education, as revised and adopted on April 17, 2009. (3-29-10)

h. Science, as revised and adopted on April 17, 2009. (3-29-10)

i. Social Studies, as revised and adopted on April 17, 2009. (3-29-10)

j. Information and Communication Technology, as revised and adopted on April 22, 2010. (4-7-11)

k. Career Technical Education Categories: ( )
i. Agricultural and Natural Resources, as adopted on June 16, 2016. ( )
ii. Business and Marketing Education, as adopted on June 16, 2016. ( )
iii. Engineering and Technology Education, as adopted on June 16, 2016. ( )
iv. Family and Consumer Sciences, as adopted on June 16, 2016. ( )
vii. Skilled and Technical Sciences, as adopted on June 16, 2016. ( )
viii. Workplace Readiness, as adopted on June 16, 2016. ( )

02. The English Language Development (ELD) Standards. The World-Class Instructional Design and Assessment (WIDA) 2012 English Language Development (ELD) Standards as adopted by the State Board of Education on August 16, 2012. Copies of the document can be found on the WIDA website at www.wida.us/standards/eld.aspx. (4-4-13)

03. The Limited English Proficiency Program Annual Measurable Achievement Objectives (AMAOs) and Accountability Procedures. The Limited English Proficiency Program Annual Measurable Achievement Objectives and Accountability Procedures as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)

04. The Idaho English Language Assessment (IELA) Achievement Standards. The Idaho English Language Assessment (IELA) Achievement Standards as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)

05. The Idaho Standards Achievement Tests (ISAT) Achievement Standards. Achievement Standards as adopted by the State Board of Education on May 30, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)

06. The Idaho Extended Content Standards. The Idaho Extended Content Standards as adopted by the State Board of Education on April 17, 2008. Copies of the document can be found at the State Board of Education website at www.boardofed.idaho.gov.
(5-8-09)

07. The Idaho Alternate Assessment Achievement Standards. Alternate Assessment Achievement Standards as adopted by the State Board of Education on May 18, 2011. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (3-29-12)

08. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)

09. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)

SUBJECT

Proposed Rule IDAPA 08.02.03.105, Rules Governing Thoroughness – Graduation Requirement - Proficiency

REFERENCE

August 2015	Board approved Proposed Rule IDAPA 08.02.03.105, which addressed several outstanding issues with the language that were caused in part by the partial rejection of the pending rule approved by the Board in 2014.
November 2015	Board approved pending rule changes to IDAPA 08.02.03.105
April 2016	Board adopted recommendations from the Accountability Oversight Committee to remove the graduation ISAT proficiency requirement.

APPLICABLE STATUTE, RULE, OR POLICY

IDAPA 08.02.03. Rules Governing Thoroughness, subsection 105.

BACKGROUND/DISCUSSION

As part of the transition to the Idaho Standards Achievement Test (ISAT) developed by Smarter Balanced and currently administered by AIR, the Board had approved changes to the graduation proficiency requirement in 2014. These changes in part moved the proficiency grade level requirement from grade ten (10) to grade eleven (11), exempting 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 had 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 Board promulgated rules in 2015 to provide for an exemption of the proficiency requirement for students who took the assessment in 2015 (during the baseline year) and made technical corrections that were made necessary due to the partial rejection by the legislature during the previous year. The proficiency requirement for graduation purposes was first established by the Board in 2003, and was added to Administrative Code effective 2004, and became effective for students starting on January 1, 2006.

Since those initial discussions in 2015, the Board's Accountability Oversight Committee has forwarded a recommendation to the Board asking the Board remove the graduation proficiency requirement in its entirety. The Board adopted that recommendation at the April 2016 Board meeting and directed staff to bring back a proposed rule to implement the recommendation.

The proposed amendments to IDAPA 08.02.02.105.06 eliminate the proficiency in its entirety, elimination of the proficiency requirement includes the elimination of

the alternate routes to proficiency as well. If accepted by the legislature high school students will no longer need to show proficiency on the ISAT to graduate and school districts will no longer need to submit alternate plans for graduation to the Board office.

IMPACT

Approval of the proposed rule will eliminate the ISAT proficiency graduation requirement in its entirety.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 08.02.03.105 Page 3

STAFF COMMENTS AND RECOMMENDATIONS

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

Staff recommends approval.

BOARD ACTION

I move to approve changes to Proposed Rule IDAPA 08.02.03.105, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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. Notwithstanding the credit definition of subsection 01.a. ~~A~~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 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 examinations before the end of the student's eleventh grade year: SAT or ACT. Students graduating prior to 2017 may also use the Compass to meet this requirement. 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: (3-25-16)

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 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)

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.a. through 105.05.c. of this rule are met. (3-25-16)

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 (3-25-16)

c. The course is taught by a teacher properly certified to teach high school content and who meets the federal definition of highly qualified for the course being taught. (3-25-16)

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 meets the requirements specified in Subsections 105.05.a. through 105.05.b. of this rule. (3-25-16)

~~**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 this graduation requirement. A student who does not attain at least a proficient score prior to graduation will be given an opportunity to demonstrate proficiency of the content standards through a 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 ten (10) Idaho Standards Achievement Test prior to 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. Alternate plans that are not in conformance with the requirements of Subsection 105.06.b shall be returned to the LEA and must be resubmitted in conformance with the requirements contained herein prior to students attempting the alternate plan. Alternate plans must be promptly re-submitted to the Board whenever changes are made in such plans. The 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 to be submitted in a common format or request additional information as necessary to determine plans are in conformance with these rules. (3-25-16)~~

~~**a.** Before entering an alternate plan, the student must be: (3-25-16)~~

~~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; (3-25-16)~~

~~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; (3-25-16)~~

~~v. Ninety percent (90%) of the alternate plan criteria must be based on academic proficiency and performance; (3-25-16)~~

~~vi. At least one (1) measure must utilize an externally reviewed, validated assessment as the evaluation tool; and(3-25-16)~~

~~vii. Measures may not be duplicative of the State graduation requirements. (3-25-16)~~

~~**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 (10) ISAT in math, reading and language usage in 2015. (3-25-16)~~

~~**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)~~

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 08.02.03.105, Rules Governing Thoroughness – Graduation Requirement – Civics Proficiency

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-1602, Idaho Code

BACKGROUND/DISCUSSION

During the 2015 legislative session, changes were made to Section 33-1602, Idaho Code requiring students to show they could meet the Idaho civics and government content standards either through the "civics test" or an alternate measure determined by the school district. During the 2016 legislative session it was discovered that districts did not understand what was allowed under an alternate measure. During the 2016 legislative session additional amendments were made to Section 33-1602, Idaho Code specifying that the applicability of this subsection to a pupil who receives special education services is governed by the pupil's individualized education plan (IEP). While this language provided some additional clarification showing that the “alternate path determined by the school district” were different than provisions applied to student on an IEP, Board staff were asked to still provide additional clarification through administrative rule.

The proposed rule amendments would add a new section to IDAPA 08.02.03.105 clearly stating that in addition to the “civics test” defined in Section 33-1602, a school district may choose an alternate path through single or multiple measures for a student to show they have met the state civics and government content standards.

IMPACT

Approval of the proposed rule would provide clarification on the alternate path a school district may use for measuring student civics proficiency.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 08.02.03.105 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.

Temporary rules go into effect at the time of Board approval unless an alternative effective date is specified by Board action. To qualify as a temporary rule, the rule must meet one of three criteria: provides protection of public health, safety, or

welfare; or is to come into compliance with deadlines in amendments to governing law or federal programs; or is conferring a benefit. This rule qualifies as temporary rules as it brings the state in compliance with Section 33-1602, Idaho Code. The requirement will be applied for the first time to students graduating in the 2016-2017 school year.

Staff recommends approval.

BOARD ACTION

I move to approve changes to Proposed Rule IDAPA 08.02.03.105, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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)

(Break in Continuity of Sections)

05. Civics and Government Proficiency. Pursuant to Section 33-1602, Idaho Code each LEA may establish an alternate path for determining if a student has met the state civics and government content standards. Alternate paths are open to all students in grades 7 through 12. Any student who has been determined proficient in the state civics and government content standards either through the completion of the civics test or an alternate path shall have it noted on the student's high school transcript.

~~05~~06. **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.a. through 105.05.c. of this rule are met. (3-25-16)

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 (3-25-16)

c. The course is taught by a teacher properly certified to teach high school content and who meets the federal definition of highly qualified for the course being taught. (3-25-16)

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 meets the requirements specified in Subsections 105.05.a. through 105.05.b. of this rule. (3-25-16)

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SUBJECT

Proposed Rule IDAPA 08.02.03.111 through .114, Rules Governing Thoroughness – Comprehensive Assessment Program and Accountability Requirements

REFERENCE

August 2003	Board approved changes to Proposed Rule 08.02.03.112
June 2010	Board approved a one year waiver of IDAPA 08.02.03.111.07.b requiring the Department administer the Direct Math and Direct Writing Assessment
August 2010	Board approved temporary and propsed rule changes to IDAPA 08.02.03.111 requiring districts send out all assessment results within three weeks of receipt from the state
October 2011	Board approved pending rule changes to IDAPA 08.02.03.111
August 2011	Board approved a proposed rule amendment removing the reference to the Direct Math and Direct Writing Assessment from IDAPA 08.02.03.111, subsection 03, 06, and 07
October 2011	Board approved pending rule changes to IDAPA 08.02.03.111
August 2014	Board approved a one year waiver of 08.02.03.113. Reward Schools
January 2014	Board approved a one year waiver of 08.02.03.111.06 subsections j and k for one year
October 2015	Accountability Oversight Committee presented recommendations to the Board regarding changes to be made to the state's accountability system, in preparation for submission of a new ESEA waiver
February 2016	Board received an update on the timeline for the Accountability Oversight Committee to bring recommendations forward
April 2016	Accountability Oversight Committee presented recommendations to the Board regarding removal of the ISAT proficiency and college entrance exam graduation requirements. The Board adopted the recommendation that the ISAT proficiency graduation requirement be removed and rejected the recommendation that the college entrance exam graduation requirement be removed.

APPLICABLE STATUTE, RULE, OR POLICY

IDAPA 08.02.03., Rules Governing Thoroughness, subsection 111 through 114

Elementary and Secondary Education Act as reauthorized by the Every Student Succeds Act.

BACKGROUND / DISCUSSION

The Board originally embarked on the creation of provisions assessment and accountability in 1997. Since that time there have been many changes at the state and federal level regarding assessments and accountability. In January 2016, the Planning, Policy and Governmental Affairs Committee charged the Accountability Oversight Committee (AOC) with bringing forward recommendations to the Board that were in alignment with the Task Force recommendations for a new state accountability system (Recommendation 5 – 2013) and would meet the federal accountability requirements (the Board will be considering those recommendations under a different agenda item). Once adopted, those recommendations need to be incorporated into changes to Administrative Code, specifically, IDAPA 08.02.03.111 through .113. The original timeline for these recommendations was scheduled for the June 2016 Board meeting, however, the committee felt it needed to have additional time to conduct a survey to gather broader public input. Due to the rulemaking deadlines this means that the propsoed amendments to administrative rule will have to be considered by the Board at the same meeting the Board is considering the recommendations themselves. The proposed rule approved by the Board will go through the standard rulemaking process. This includes a 21 day public comment period, potential changes to the rule based on those comments, final consideration by the Board in November 2016 of a pending rule and then consideration by the Legislature in 2017. Once accepted by the Legislature the rule would go into effect in the spring of 2017. The proposed amendments are based on the AOC recommendations. There will be an opportunity at the Board meeting to amend the proposed rule based on the provisions adopted by the Board at the August 2016 Board meeting.

The current timeline for implementing the Every Student Succeds Act (ESSA) requires states have accountability and assessment provisions in place for the 2017-2018 school year. The Board discussed at the February 2016 Board meeting the desire to have provisions in place for one year prior to the first year required under ESSA, this would allow the state to assure the data was being collected consistently and accurately as well as look at the data to make sure it was actually measuring the right things prior to a school being held accountable to these measures for federal accountability purposes.

The proposed amendments to IDAPA 08.02.03.111 would make technical corrections that have been identified during the last year to the language around the requirements for the end of course science assessments and move the required administration of the Idaho Standards Achievement Test (ISAT) at the high school level to the 11th grade.

The proposed amendments to IDAPA 08.02.03.112 would remove outdated terms like "Adequate Yearly Progress" while at the same time referencing state level progress will be set by the State Board of Education. Existing language regarding the participation rate and definitions of schools and subgroups would remain the same. Finally, the measures that make up the framework will be incorporated into the rule at the category level, definitions and format of data collected will be approved by the Board based on the Data Management Council recommendations and the specific details around the recommended growth model will be approved by the Board at a later date.

The proposed amendments to IDAPA 08.02.03.113 would repeal the section in it's entirety. The current Distinguished School requirements were based on the Five Star system and are not applicable at this time. The Distinguished School awards were valued by the schools when granted and it is recommended that a new system be developed for recognizing and awarding high achieving schools by the Board, however, until that system is developed it is recommended that this section be repealed.

The proposed amendments to IDAPA 08.02.03.114 would make technical corrections, updating languge to current references, however, it would not be substantially changed at this time.

IMPACT

Approval of the proposed rule is the first step in implementing a new accountability for the State of Idaho.

ATTACHMENTS

Attachment 1 – Proposed Rule IDAPA 08.02.03.111 through 114 Page 5

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 rule 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 changes to proposed rule IDAPA 08.02.03.111, 112, 113, and 114, 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

004. INCORPORATION BY REFERENCE.
The following documents are incorporated into this rule: (3-30-07)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (3-29-10)

a. Driver Education, as revised and adopted on August 21, 2008. (3-29-10)

b. Health, as revised and adopted on April 17, 2009. (3-29-10)

c. Humanities Categories: (3-29-10)

i. Art, as revised and adopted on April 17, 2009; (3-29-10)

ii. Dance, as revised and adopted on April 17, 2009; (3-29-10)

iii. Drama, as revised and adopted on April 17, 2009; (3-29-10)

iv. Interdisciplinary, as revised and adopted on April 17, 2009; (3-29-10)

v. Music, as revised and adopted on April 17, 2009; (3-29-10)

vi. World languages, as revised and adopted on April 17, 2009; (3-29-10)

d. English Language Arts, as revised and adopted on August 11, 2010. (4-7-11)

e. Limited English Proficiency, as revised and adopted on August 21, 2008. (3-29-10)

f. Mathematics, as revised and adopted on August 11, 2010. (4-7-11)

g. Physical Education, as revised and adopted on April 17, 2009. (3-29-10)

h. Science, as revised and adopted on April 17, 2009. (3-29-10)

i. Social Studies, as revised and adopted on April 17, 2009. (3-29-10)

j. Information and Communication Technology, as revised and adopted on April 22, 2010. (4-7-11)

02. The English Language Development (ELD) Standards. The World-Class Instructional Design and Assessment (WIDA) 2012 English Language Development (ELD) Standards as adopted by the State Board of Education on August 16, 2012. Copies of the document can be found on the WIDA website at www.wida.us/standards/eld.aspx. (4-4-13)

03. The Limited English Proficiency Program Annual Measurable Achievement Objectives (AMAOs) and Accountability Procedures. The Limited English Proficiency Program Annual Measurable

Achievement Objectives and Accountability Procedures as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)

~~**04. The Idaho English Language Assessment (IELA) Achievement Standards**. The Idaho English Language Assessment (IELA) Achievement Standards as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)~~

0~~5~~4. The Idaho Standards Achievement Tests (ISAT) Achievement Standards. Achievement Standards as adopted by the State Board of Education on May 30, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)

0~~6~~5. The Idaho Extended Content Standards. The Idaho Extended Content Standards as adopted by the State Board of Education on April 17, 2008. Copies of the document can be found at the State Board of Education website at www.boardofed.idaho.gov. (5-8-09)

0~~7~~6. The Idaho Alternate Assessment Achievement Standards. Alternate Assessment Achievement Standards as adopted by the State Board of Education on May 18, 2011. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (3-29-12)

0~~8~~7. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)

0~~9~~8. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)

(BREAK IN CONTINUITY OF SECTIONS)

007. DEFINITIONS A - G.

01. Achievement Standards. Define "below basic," "basic," "proficient," and "advanced" achievement levels on the Idaho Standards Achievement Tests (ISAT) and ~~"beginning," "advanced beginning," "intermediate," "early fluent" and "fluent"~~level 1 through level 6 on ~~the~~ Idaho's English ~~L~~language ~~A~~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, Technical Competency Credit, or International Baccalaureate programs. (3-25-16)

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 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)

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)

(BREAK IN CONTINUITY OF SECTIONS)

111. ASSESSMENT IN THE PUBLIC SCHOOLS.

01. **Philosophy**. Acquiring the basic skills is essential to realization of full educational, vocational and personal/social development. Since Idaho schools are responsible for instruction in the basic scholastic skills, the State Board of Education has a vested interest in regularly surveying student skill acquisition as an index of the effectiveness of the educational program. This information can best be secured through objective assessment of student growth. The State Board of Education will provide oversight for all components of the comprehensive assessment program. (4-2-08)

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

a. Measure and improve student achievement; (3-15-02)

b. Assist classroom teachers in designing lessons; (3-15-02)

c. Identify areas needing intervention and remediation, and acceleration; (3-15-02)

d. Assist school districts in evaluating local curriculum and instructional practices in order to make needed curriculum adjustments; (3-15-02)

e. Inform parents and guardians of their child's progress; (3-15-02)

f. Provide comparative local, state and national data regarding the achievement of students in essential skill areas; (3-15-02)

g. Identify performance trends in student achievement across grade levels tested and student growth over time; and (3-15-02)

h. Help determine technical assistance/consultation priorities for the State Department of Education. (3-15-02)

03. Content. The comprehensive assessment program will consist of multiple assessments, including, the Idaho Reading Indicator (IRI), the National Assessment of Educational Progress (NAEP), the Idaho English Language Assessment, the Idaho Standards Achievement Tests (ISAT), the Idaho Alternate Assessment, and a college entrance exam. (3-29-12)

04. Testing Population. All students in Idaho public schools, grades kindergarten through twelve (K-12), are required to participate in the comprehensive assessment program approved by the State Board of Education and funded. (4-2-08)

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

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

c. Limited English Proficient (LEP) students, as defined in Subsection 112.04.d.iv., may receive designated supports or accommodations, or both, for the ISAT assessment if need has been indicated by the LEP student's Educational Learning Plan (ELP) team. The team shall outline the designated supports or accommodations, or both, in an ELP prior to the assessment administration. Designated supports or accommodations, or both, shall be familiar to the student during previous instruction and for other assessments. LEP students who are enrolled in their first year of school in the United States may take ~~the IELA~~ Idaho's English language assessment in lieu of the English language ISAT, but will still be required to take the ISAT (Mathematics and Science). Such LEP students will be counted as participants for the ninety-five percent (95%) participation target, as described in Subsection 112.04. However, such LEP students are not required to be counted for accountability purposes as described in Subsection 112.03. (4-11-15)

05. Scoring and Report Formats. Scores will be provided for each subject area assessed and reported in standard scores, benchmark scores, or holistic scores. Test results will be presented in a class list report of student scores, building/district summaries, content area criterion reports by skill, disaggregated group reports, and pressure sensitive labels as appropriate. Information about the number of students who are eligible for special education who participate in regular and alternate assessments, and their performance results, shall be included in reports to the public if it is statistically sound to do so and would not disclose performance results identifiable to individual students. (4-7-11)

a. Effective April 1, 2009, all students taking the Idaho Standards Achievement Test (ISAT) must have a unique student identifier. (4-7-11)

b. Districts must send all assessment results and related communication to parents within three (3) weeks of receipt from the state. (4-7-11)

06. Comprehensive Assessment Program. The State approved comprehensive assessment program is outlined in Subsections 111.06.a. through 111.06.l. Each assessment will be comprehensive of and aligned to the Idaho State Content Standards it is intended to assess. In addition, districts are responsible for writing and implementing assessments in those standards not assessed by the state assessment program. (4-2-08)

a. Kindergarten - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (4-2-08)

b. Grade 1 - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (4-2-08)

c. Grade 2 - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (4-11-15)

d. Grade 3 - Idaho Reading Indicator, Grade 3 Idaho Standards Achievement Tests in English language usage and mathematics, Idaho Alternate Assessment, Idaho English Language Assessment. (4-2-08)

e. Grade 4 - National Assessment of Educational Progress, Grade 4 Idaho Standards Achievement Tests in English language usage and mathematics,, Idaho Alternate Assessment, Idaho English Language Assessment. (3-29-12)

f. Grade 5 - Grade 5 Idaho Standards Achievement Tests, Idaho Alternate Assessment in English language usage and mathematics,, Idaho English Language Assessment. (3-29-12)

g. Grade 6 - Grade 6 Idaho Standards Achievement Tests, Idaho Alternate Assessment in English language usage and mathematics,, Idaho English Language Assessment. (3-29-12)

h. Grade 7 - Grade 7 Idaho Standards Achievement Tests in English language usage and mathematics,, Idaho Alternate Assessment, Idaho English Language Assessment. (3-29-12)

i. Grade 8 - National Assessment of Educational Progress, Grade 8 Idaho Standards Achievement Tests in English language usage and mathematics,, Idaho Alternate Assessment, Idaho English Language Assessment. (3-29-12)

j. Grade 9 - ~~Grade 9~~High School Idaho Standards Achievement Tests (optional at the discretion of the school district or charter school), Idaho Alternate Assessment, Idaho English Language Assessment. (3-29-12)

k. Grade 10 - High School Idaho Standards Achievement Tests (optional at the discretion of the school district or charter school), Idaho Alternate Assessment, Idaho English Language Assessment. (4-2-08)

l. Grade 11 - High School Idaho Standards Achievement Tests ~~(as applicable)~~, Idaho English Language Assessment, college entrance exam. (4-11-15)

m. Grade 12 - National Assessment of Educational Progress, Idaho English Language Assessment. (4-2-08)

n. Students are required to take an End of Course Assessment in science provided by the state and administered by the district as applicable to the course completed by the students. (4-11-15)

~~**o.** Students who achieve a proficient or advanced score on a portion or portions of the ISAT, or the Idaho Alternate Assessment, offered in their tenth grade year or later are not required to continue taking that portion or portions. (5-8-09)~~

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

a. The Idaho Reading Indicator will be administered in accordance with Section ~~33-1614~~33-1615, Idaho Code. (3-15-02)

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

c. The Idaho Standards Achievement Tests will be administered in the Spring in a time period specified by the State Board of Education. (4-11-15)

d. The Idaho Alternate Assessment will be administered in a time period specified by the State Board of Education. (4-2-08)

e. ~~The~~ Idaho's English Language Assessment will be administered in a time period specified by the State Board of Education. (4-2-08)

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

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

b. Statewide distribution of all assessment materials; and (3-29-12)

c. Processing and scoring student response forms, distribution of prescribed reports for the statewide comprehensive assessment program. (3-29-12)

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

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

11. Test Security, Validity and Reliability. Test security is of the utmost importance. To ensure integrity of secure test items and protect validity and reliability of test outcomes, test security must be maintained. School districts will employ security measures in protecting statewide assessment materials from compromise. Each individual who has any opportunity to see test items must sign a state-provided confidentiality agreement, which the district must keep on file in the district for at least two (2) years. Documentation of security safeguards must be available for review by authorized state and federal personnel. (4-2-08)

~~**a.** All ISAT paper and pencil test booklets will be boxed and shipped to the test vendor to be counted no later than two (2) weeks after the end of the testing window, as applicable. (4-11-15)~~

~~**b**~~**a.** Any assessment used for federal reporting shall be independently reviewed for reliability, validity, and alignment with the Idaho Content Standards. (4-2-08)

12. Demographic Information. Accurate demographic information must be submitted as required for each test to assist in interpreting test results. It may include but is not limited to race, sex, ethnicity, and special programs, (Title I, English proficiency, migrant status, special education status, gifted and talented status, and socio-economic status). (4-2-08)

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

a. The Idaho Standards Achievement Tests (grades 3-~~9~~8 and High School). (3-29-12)

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

i. Language Arts/Communications. (3-15-02)

ii. Math. (3-15-02)

iii. Science. (3-15-02)

iv. Social Studies. (3-15-02)

v. Health. (3-15-02)

vi. Humanities. (3-15-02)

112. ACCOUNTABILITY

~~The provisions in this section apply for the purposes of meeting the "No Child Left Behind" Act and the state of Idaho accountability requirements. (3-20-04)~~
School district, charter school district and public charter school accountability will be based on multiple measures aimed at providing meaningful data showing progress toward interim and long-term goals set by the State Board of Education for student achievement and school improvement. The state accountability framework will be used to meet both state and federal school accountability requirements and will be broken up by school category and include measures of student academic achievement and school quality as determined by the State Board of Education.

01. School Category.
a. Kindergarten through grade 8 (K-8), Schools in this category include elementary and middle schools as defined in section 05.f.
b. High Schools, not designated as alternative high schools, as defined in section 05.f
c. Alternative high schools.

02. Academic measures by school category
a. K-8
i. Idaho Standards Achievement Tests (ISAT) Proficiency
ii. ISAT growth
iii. ISAT proficiency gap
iv. Idaho statewide reading assessment
v. English Learners achieving English language proficiency
b. High school
i. ISAT proficiency
ii. English Learners achieving English language proficiency
iii. Four (4) year cohort graduation rate
c. Alternative high school
i. ISAT proficiency
ii. English Learners achieving English language proficiency
iii. Four (4) year cohort graduation rate
iv. Five (5) year cohort graduation rate

03. School quality measures by school category
a. K-8
i. Next grade level readiness index

ii. Chronic Absenteeism
iii. Teacher quality and engagement index
b. High school
i. College and career readiness index
ii. Chronic Absenteeism
iii. Teacher quality and engagement index
c. Alternative high school
i. Credit recovery and accumulation
ii. Chronic absenteeism
iii. Teacher quality and engagement index
iv. Student engagement index

04. Reporting. Methodologies for reporting measures and determining indexes will be set by the State Board of Education.

05. Annual Measurable Progress Definitions. For purposes of calculating and reporting progress, the following definitions shall be applied.

~~01~~a. ISAT Student Achievement Levels. There are four (4) levels of student achievement for the ISAT: Below Basic, Basic, Proficient, and Advanced. Definitions for these levels of student achievement are adopted by reference in Subsection 004.05. (4-2-08)

~~02~~b. ~~IELA~~ Idaho's English Language Assessment Proficiency Levels. There are ~~five~~ six (~~5~~6) levels of language proficiency for students testing on the Idaho English Language Assessment: ~~beginning," advanced beginning, intermediate, early fluent, and fluent~~Level 1, Level 2, Level 3, Level 4, Level 5 and Level 6. Definitions for these levels of language proficiency are adopted by reference in Subsections 004.02 and 004.04. (4-2-08)

~~03~~c. ~~Adequate Yearly Progress (AYP).~~Annual Measurable Progress (3-20-04)

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

~~b~~ii. The State Department of Education will make ~~AYP~~ determinations for schools and districts each year. Results will be given to the districts at least one (1) month prior to the first day of school. (4-7-11)

~~c~~iii. The State Board of Education will set long-term goals and measurements of interim progress targets toward those goals. The baseline for ~~AYP~~ determining measurable student progress will be set by the State Board of Education and shall identify the amount of growth (percentage of students reaching proficiency) required for each intermediate period. (3-20-04)

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

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

i. A student who is enrolled continuously in the same public school from the end of the first eight (8) weeks or fifty-six (56) calendar days of the school year through the state approved spring testing administration period, not including the make-up portion of the test window, will be included in the calculation to determine if the school achieved ~~AYP in~~progress in any statewide assessment used for determining proficiency. A student is continuously enrolled if he/she has not transferred or dropped-out of the public school. Students who are serving suspensions are still considered to be enrolled students. (4-7-11)

ii. A student who is enrolled continuously in the school district from the first eight (8) weeks or fifty-six (56) calendar days of the school year through the state approved spring testing administration period, not including the make-up portion of the test window, will be included when determining if the school district has achieved AYP. (4-2-08)

iii. A student who is enrolled continuously in a public school within Idaho from the end of the first eight (8) weeks or fifty-six (56) calendar days of the school year through the state approved spring testing administration period, not including the make-up portion of the test window, will be included when determining if the state has achieved ~~AYP~~ progress in any statewide assessment used for determining. (4-2-08)

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

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

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

(2) Students who are absent for the entire state-approved testing window because of medical reasons or are homebound are exempt from taking the ISAT if such circumstances prohibit them from participating. Students who drop out, withdraw, or are expelled prior to the beginning of the final makeup portion of the test window are considered exited from the school. (4-7-11)

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

~~c~~f. Schools. As used in this section schools refers to any school within a school district or charter school district and public charter schools. (3-20-04)

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

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

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

iv. An alternative high school is any school that contains grade twelve and meets the requirements of section 110 of these rules.

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

v. A "new school" for purposes of accountability is a wholly new entity receiving ~~AYP~~ annual measurable progress determinations for the first time, or a school with a significant student population change as a result of schools being combined or geographic boundaries changing, or a result of successful school restructuring sanctioned by the Office of the State Board of Education. (4-7-11)

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

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

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

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

iv. Limited English Proficient - individuals who do not score proficient on the state-approved language proficiency test and meet one (1) of the following criteria: (4-11-15)

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

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

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

~~e~~h. Graduation Rate. The graduation rate will be based on the rate of the cohort of students entering grade 9 during the same academic year and attending or exiting the school with a four (4) year or five year period (5) as applicable to the measure being determined. In determining the graduation cohort the school year shall include the summer term immediately following the fall and spring term. School districts may only report students as having graduated if the student has met, at a minimum, the state graduation requirements and will not be returning to the school in following years to complete academic course work. The State Board of Education will establish a target for graduation. All high schools must meet the target or make sufficient progress toward the target each year, as determined by the State Board of Education. The graduation rate will be disaggregated by the ~~subpopulations~~ subgroups listed in Subsection 112.04.d. ~~in the event the "safe harbor" is invoked by the school/district~~. (4-7-11)

~~f~~i. Additional Academic Indicator. The State Board of Education will establish a target for ~~an~~all additional academic and school quality measures~~indicator~~. All ~~elementary and middle~~ schools must maintain or make progress toward the additional academic and school quality ~~indicator~~measure target each year. The additional academic and school quality ~~indicator~~ measure targets will be disaggregated by the subpopulations listed in Subsection 112.04.d. ~~in the event the "safe harbor" is invoked by the school/district. By 2014, the schools/districts must meet the target.~~ (3-20-04)

~~05~~06. Annual Measurable Achievement Objectives (AMAOs). Local school districts are responsible for ensuring district progress of Limited English Proficient (LEP) students in their acquisition of English. Progress and proficiency are measured by ~~the IELA~~ Idaho's English language assessment and determined based on three (3) AMAOs: (4-2-08)

a. Annual increases in the percent or number of LEP students making progress in acquiring English language proficiency; (4-2-08)

b. Annual increases in the percent or number of LEP students attaining English language proficiency by the end of the school year; and (4-2-08)

c. Each school district must make Adequate Yearly Progress for LEP students on the spring ISAT. (4-2-08)

~~**113. REWARDS.**~~

~~**01. Distinguished Schools**. Distinguished School Awards are designed to recognize the highest performing schools. A school shall be recognized as a "Distinguished School" based on the following criteria: (3-20-14)~~

~~**a.** Achieved a Five-Star Rating for at least two (2) out of the last three (3) years; (3-20-14)~~

~~**b.** Received no less than a Four-Star Rating in the last three years; (3-20-14)~~

~~**c.** Meet the Annual Measurable Objectives (AMOs) in all subjects for overall students and all~~

~~subgroups as outlined in Subsection 112.04.d. (3-20-14)~~

~~**d.** Be among the top five percent (5%) of schools in all students proficiency; and (3-20-14)~~

~~**e.** Be among the top ten percent (10%) of schools in the proficiency gaps between the highest and lowest achieving subgroups and between the at-risk and not at-risk subgroups. (3-20-14)~~

~~**02. Determination by State Department of Education.** The State Board of Education will determine the schools eligible for the Distinguished School award each year based upon the criteria outlined in Subsection 113.01. The State Department of Education will provide the list of schools meeting the specified criteria to the State Board of Education no later than August 30th of each year. The State Board of Education will recognize the schools no later than the annual October Board Meeting. (3-20-14)~~

114. FAILURE TO MEET ~~ADEQUATE YEARLY PROGRESS (AYP).~~ANNUAL MEASURABLE PROGRESS

01. Compliance with Federal Law. All schools and local educational agencies in this state shall comply with applicable federal laws governing specific federal grants. (4-6-05)

a. With respect to schools and local educational agencies in this state that receive federal grants under title I of the Elementary and Secondary Education Act of 1965, as amended by the ~~No Child Left Behind Act of 2001~~Every Child Succeeds Act of 2015 (Title I schools), the State Department of Education shall develop procedures for approval by the State Board of Education, consistent with federal law, that describe actions to be taken by local educational agencies and schools in this state in regard to schools that fail to meet ~~AYP~~interim and long-term progress goals. (4-6-05)

b. With respect to schools and local educational agencies in this state that do not receive federal grants under Title I of the Elementary and Secondary Education Act of 1965, as amended by the ~~No Child Left Behind Act of 2001~~Every Child Succeeds Act of 2015, such non-Title I schools and local educational agencies shall be required to comply with federal law and state requirements with the procedures relating to failure to meet ~~AYP~~ interim and long-term progress goals as provided in Subsection 114.01.a. of this rule, as if they were Title I schools, except that any provisions relating to the use of federal grants to pay for such expenses shall not be applicable to such non-Title I schools and local educational agencies. In such event, non-title I schools shall be required to fund such compliance costs from general operating funds. (4-6-05)

02. State Department of Education. With respect to the implementation of duties responsibilities described under Title I of the Elementary and Secondary Education Act of 1965, as amended by the ~~No Child Left Behind Act of 2001~~Every Student Succeeds Act of 2010, that are applicable to a state educational agency, the State Department of Education shall perform such duties and responsibilities, including, but not limited to, making technical assistance available to local educational agencies that fail to meet ~~AYP as required under federal law~~interim and long-term goals, and for providing technical assistance, developing improvement plans, and providing for mandatory corrective actions to local educational agencies as required under federal law and state law. (4-6-05)

SUBJECT

Proposed Rule IDAPA 08.02.05, Rules Governing Pay for Success Contracting

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-125B, Idaho Code

BACKGROUND/DISCUSSION

Section 33-125B, Idaho Code was enacted by HB 170 (2015), the purpose of the legislation was to provide for an alternative means of fostering innovation in Idaho's schools, and to allow for a method by which the state could enter into an agreement with a private entity; whereby the entity bears the sole burden of financing the cost of a program up front and the state pays based on outcomes that are negotiated prior to entering into the contract. Section 33-125B, Idaho Code, additionally, establishes an oversight committee to review the proposal and indicate whether or not the Department of Education should commence negotiations. The oversight committee is made up of:

- The Chief Financial Officer for the Department of Education,
- The subject matter expert at the Department of Education,
- A representative from the State Controller's Office,
- The House of Representatives Education Committee Chairman, and
- The Senate Education Committee Chairman.

During the first year the program was available, one vendor submitted a proposal to the Department of Education based on feedback from this process it was determined that at a minimum submittal processes and timelines should be established in administrative rule.

The proposed rule would create an entirely new section of rule pertaining to Pay for Success Contracting. The rule will include information on where to submit the requests, and timelines for review of the request by the oversight committee

IMPACT

Approval of the proposed rule will set out the application process for vendors wishing to participate in the Pay for Success Contracting with the state.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 08.02.05 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.

BOARD ACTION

I move to approve the proposed rule IDAPA 08.02.05, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 08
TITLE 02
CHAPTER 05

08.02.05 – RULES GOVERNING PAY FOR SUCCESS CONTRACTING

000. LEGAL AUTHORITY.
In accordance with Sections 33-125B(8), Idaho Code, the State Board of Education may promulgate rules implementing the provisions of Section 33-125B, Idaho Code.

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 08.02.05, "Rules Governing Pay for Success Contracting."

02. Scope. These rules constitute the requirements for Pay for Success Contracting.

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.

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.

004. INCORPORATION BY REFERENCE.
There are no documents that have been incorporated by reference into these rules.

005. OFFICE INFORMATION.

01. State Department of Education Office Hours and Contact Information. The offices of the Department are open from 8 a.m. to 5 p.m., except Saturday, Sunday, and legal holidays.

i. Street Address. The offices of the Department are located at 650 W. State Street, Boise, Idaho.

ii. Mailing Address. The mailing address of the Department is P.O. Box 83720, Boise, Idaho 83720-0027.

iii. Electronic Address. The electronic address of the Department of Education is www.sde.idaho.gov.

iv. Telephone Number. The telephone number of the Department is (208) 332-6800.

v. Facsimile. The facsimile number of the Department is (208) 334-2228.

006. PUBLIC RECORDS ACT COMPLIANCE.
These rules are subject to the provisions of the Idaho Public Records Act, Title 74, Chapter 1, Idaho Code.

007. -- 009. (RESERVED)

010. DEFINITIONS.
01. Board. The State Board of Education
02. Department. The State Department of Education
03. Oversight Committee. Committee formed pursuant to Section 33-125B(6), Idaho Code to evaluate pay for success contracting proposals.
04. Pay for Success Contracting. Contracting for services with private entities whereby services are reimbursed based on the achievement of outcomes pursuant to Section 33-125B, Idaho Code.

011. -- 100. (RESERVED)

101. INITIATING CONTRACTING. Contracting may be initiated through two (2) separate routes.

01. Initiated by Department. The Department may issue~~s~~ a request for information upon identification of a need for a service, or
02. Initiated by Interested Party. An interested party or service provider may identify a need for service and submit a proposal to the State Department of Education. Proposals must include a letter of intent to participate in a pay for success contract and must include the following information:
a. Special service(s) that the service provider will provide;
b. How the services will enhance student academic achievement;
c. Source of education funding from which savings will be realized;
d. Identity of one or more qualified external evaluators;
e. Provide external evaluator's qualifications and expertise as required pursuant to section 33-125B, Idaho Code; and
f. Identify local education agencies (LEA) that have expressed interest in participating in the service and documentation that LEA meets the requirements pursuant to section 33-125B, Idaho Code.
03. Additional Information. As part of the review process the oversight committee may request additional information.
04. Format. Proposals may be submitted in electronic or hard copy format.

102. PROPOSAL EVALUATION
01. Timeline.

a. Within five (5) business days of receipt of the complete proposal, the proposal will be forwarded electronically to the oversight committee.

b. After receiving the proposal the oversight committee will determine if additional information is needed to evaluate the proposal. The oversight committee will request additional information from the interested party within thirty (30) days of receiving the initial proposal.

c. The interested party shall respond to a request for additional information within fifteen (15) days of receiving the request.

i. Requests for additional response time may be granted at the discretion of the oversight committee.

ii. If the interested party fails to respond or additional information is not received within the specified time, the oversight committee may reject the proposal without further consideration.

d. The oversight committee shall hold an initial meeting either in-person, telephonically or by other means to consider the merits of the proposal within forty-five (45) days of receipt of the proposal.

e. The oversight committee chair shall inform the Department designated staff person, and the interested party, of its decision on a proposal within ninety (90) days of receipt of the complete proposal.

02. Oversight committee action. Following consideration of a proposal, the oversight committee shall take one of the following actions:

a. require the Department to start negotiations with the interested party,

b. require the Department to start negotiations with the interested party, subject to conditions imposed by the oversight committee,

c. reject the proposal with suggestions for improving the proposal prior to considering resubmittal, or

d. reject the proposal.

03. Proposal resubmittal. Proposals that have been rejected may be resubmitted for consideration if amendments have been made to the proposal or additional information has been added for the oversight committee's consideration.

103. CONTRACT NEGOTIATIONS.

01. Negotiation Teams. Contract negotiations for accepted proposals shall involve the following individuals:

a. The Department chief budget officer or designee,

b. One or more individuals with a background in complex financial instruments,

c. One or more individuals with a background in complex financial instruments, at least one of which will be from the state treasurer's office or the state endowment fund board,

d. One or more financial officers from a local education agency. In the event a local education agency has already been identified to participate in the proposal, the chief financial officer for the local education agency shall participate.

e. One or more individuals representing the interested party.

03. Negotiation Timeline. Negotiations shall be completed within ninety (90) days unless extended by the oversight committee. To be extended by the oversight

committee, the committee must determine that all parties have made a best effort to negotiate the contract.

02. Negotiation Updates. The Department shall provide regular contract negotiation updates to the oversight committee, not less than every thirty (30) days during contract negotiations. Failure to negotiate mutually agreeable terms within ninety (90) days shall be reported to the oversight committee. The committee may extend the timeline for negotiations, appoint a new negotiations team or terminate the negotiations.

03. Time Tracking. State employees' time spent on the evaluation or negotiation shall be tracked and recorded on a per proposal basis and be provided to the oversight committee, or to other interested parties upon request.

104. Contract Monitoring. Contract monitoring reports will be submitted to the oversight committee by the Department in a timeline and format established by the oversight committee.

UNIVERSITY OF IDAHO

SUBJECT

Proposed Rule IDAPA 08.05.01, Rules Governing Seed and Plant Certification

REFERENCE

May 14, 2014	Board approved seed certification standards and temporary and proposed rule, IDAPA 08.05.01, Rules Governing Seed and Plant Certification - as presented.
August 14, 2014	Board approved pending rule, IDAPA 08.05.01.
April 16, 2015	Board approved amendment to seed certification standards.
May 20, 2015	Board approved temporary rule amendments to IDAPA 08.05.01 incorporating amended seed certification standards.
August 13, 2015	Board approved proposed rule changes to IDAPA 08.05.01 incorporating amended seed certification standards.
November 30, 2015	Board approved pending rule IDAPA 08.05.01, Rules Governing Seed and Plant Certification

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.

Through the ICIA's annual review process, the ICIA identified an amendment to the Rapeseed/Canola/ Mustard Certification Standards that would help to make these

seeds produced in Idaho be more competitive. The proposed amendment would add to this specific standard the need to test these seeds for Sclerotinia bodies.

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 5
Attachment 2 – Standards for Seed and Plant Certification Page 7
Attachment 3 – ICIA Review Notification Page 11

STAFF COMMENTS AND RECOMMENDATIONS

Fees paid to the Idaho Crop Improvement Association, Inc. cover the cost of testing, the ICIA has determined that the additional test can be covered under the current fee structure.

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. If approved, pending rules will be submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. 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.

BOARD ACTION

I move to approve changes to proposed rule IDAPA 08.05.01, as presented in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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. Prohibited Noxious Seed in Idaho Certified Seed. The standard Prohibited Noxious Seed in Idaho Certified Seed of the Idaho Crop Improvement Association, Inc., as last modified and approved on March 17, 2015. (3-25-16)

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. Idaho Alfalfa Certification Standards. The Idaho Alfalfa Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as last modified and approved on March 17, 2015. (3-25-16)

4. Idaho Bean Certification Standards. The Idaho Bean Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as last modified and approved on March 17, 2015. (3-25-16)

5. Idaho Red Clover Certification Standards. The Idaho Red Clover Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 17, 2015. (3-25-16)

6. Idaho Chickpea Certification Standards. The Idaho Chickpea Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 17, 2015. (3-25-16)

7. Idaho Grain Certification Standards. The Idaho Grain Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 17, 2015. (3-25-16)

8. Idaho Grass Certification Standards. The Idaho Grass Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 17, 2015. (3-25-16)

9. Idaho Rapeseed/Canola/Mustard Certification Standards. The Idaho Rapeseed/Canola/ Mustard Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on ~~March 17, 2015~~April 26, 2016. (3-25-16)

10. Idaho Potato Certification Standards. The Idaho Potato Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved on March 17, 2015. (3-25-16)

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 March 17, 2015. (3-25-16)

12. Idaho Lentil Certification Standards. The Idaho Lentil Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

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. (3-25-16)

14. Idaho Milkvetch Certification Standards. The Idaho Milkvetch Certification Standards adopted by the Idaho Crop Improvement Association, Inc., as amended and approved March 17, 2015. (3-25-16)

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. (3-25-16)

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. (3-25-16)

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. (3-25-16)

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. (3-25-16)

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. (3-25-16)

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 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 of Idaho that have an application for certification properly filed with a seed certification agency. (4-6-15)

13. OFFICIAL IN CHARGE OF CERTIFIED SEED.
The Idaho Legislature, at its 35th Session, enacted Senate Bill No. 107, the "Seed and Plant Certification Act of 1959". This Act designated the Regents of the University of Idaho, through the Agricultural Experiment Station of the College of Agriculture, as the seed certifying agency for the State. This Act further gives the Regents of the University of Idaho the authority to designate an agent to administer and conduct the certification program. The Regents of the University of Idaho on April 27, 1959, appointed the Idaho Crop Improvement Association, Inc., as its duly authorized agent to administer and conduct seed certification in Idaho as provided by the Seed and Plant Certification Act of 1959. (4-6-15)

14. SEED CERTIFICATION FEE AND APPLICATION SCHEDULE.
The Idaho Crop Improvement Association may assess a fee to defray the costs of seed testing and administration of the seed certification program. Fees are established through the Idaho Crop Improvement Association, Inc. (4-6-15)

15. -- 999. (RESERVED)

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Idaho Rapeseed/Canola/Mustard Certification Standards (rev. 3/17/2015)(Draft rev. 3/2016)

Land Requirements:

Class Planted	**Class Produced**	**Years that field must be free from *Brassica* crop**
Breeder seed	Foundation seed	5
Breeder or Foundation	Certified seed	3

Isolation Requirements:

A field producing foundation seed must have the minimum isolation distance from fields of any other variety or species, or fields of the same variety that do not meet the varietal purity requirements for certification, as given in the following table:

	B. napus			
B. napus	1,320 feet	***B. rapa***		
B. rapa	660 feet	1,320 feet	***B. juncea***	
B. juncea	20 feet	20 feet	1,320 feet	***S. alba***
S. alba	20 feet	20 feet	20 feet	1,320 feet

A field producing certified seed must have the minimum isolation distance from fields of any other variety or species, or fields of the same variety that do not meet the varietal requirements for certification, as given in the following table:

	B. napus			
B. napus	660 feet	***B. rapa***		
B. rapa	330 feet	660 feet	***B. juncea***	
B. juncea	10 feet	10 feet	660 feet	***S. alba***
S. alba	10 feet	10 feet	10 feet	660 feet

Field Standards:

Species	**Foundation Seed**		**Certified Seed**	
	Other Brassica's 1	**Other * Varieties 2**	**Other Brassica's**	**Other Varieties**
B. napus	2/acre	None 2	4/acre	1%
B. rapa	2/acre	None	4/acre	1%
B. juncea	2/acre	None	4/acre	1%
S. alba	2/acre	None	4/acre	2%

* Other varieties shall be considered to include off-type plants and plants that can be differentiated from the variety being inspected.

1 Other Brassica's ***Brassica*** species other than crop being inspected.

2 None means *none found during the normal inspection procedures*.

Seed Standards:

Factor	**Standards from each class**	
	Foundation	**Certified**
Pure Seed (Min.)	99%	99%
Other Crops (Max.)	1/50 grams	2/50 grams
Inert Matter (Max.)	1%	1%
Weed Seed (Max.)	10/50 grams	20/50 grams
Prohibited Noxious Weeds **1**	None	None
Objectionable Weeds (Max.) **2**	1/50 grams	2/50 grams
Seed Analysis **3**	See footenote 3	See footenote 3
Sclerotinia bodies	~~None~~ 1/50 grams	~~None~~ 1/50 grams
Leptosphaeria maculans /Phoma lingum (Blackleg)	0.01%	0.01%

Germination (Min.)	85%	85%

1 None means none found during normal inspection procedures.

2 Objectionable weed seeds are defined as: Restricted noxious plus *Brassica* species other than crop being inspected, and *Galium aparine* (Bedstraw).

3 Erucic acid and glucosinolate content must be within tolerances as described by the plant breeder for each variety.

4 All seed lots for which certification is applied shall be assayed for virulent Phoma lingam/Leptosphaeria maculans (Blackleg) and shown to be 99.99% free of this seed borne fungi.

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University of Idaho
College of Agricultural and Life Sciences

Foundation Seed Program
875 Perimeter Drive MS 2090
Moscow, ID. 83844-2090

Phone: 208-885-7333
seed@uidaho.edu
dhoadley@uidaho.edu

Date: April 26, 2016
To: Mark McGuire, Director IAES
From: David Hoadley, Director UI-FSP

Subject: Proposed Canola, Rapeseed, Mustard (as submitted)
Sclerotinia Bodies Tolerances

Factor — Standards from each class

	Foundation	Certified
Pure Seed (Min.)	99%	99%
Other Crops (Max.)	1/50 grams	2/50 grams
Inert Matter (Max.)	1%	1%
Weed Seed (Max.)	10/50 grams	20/50 grams
Prohibited Noxious Weeds **1**	None	None
Objectionable Weeds (Max.) **2**	1/50 grams	2/50 grams
Seed Analysis **3**	See footenote 3	See footenote 3
Sclerotinia bodies	~~None~~ 1/50 grams	~~None~~ 1/50 grams
Leptosphaeria maculans	0.01%	0.01%

The Foundation Seed Stocks – Alternative Rules and Regulations Committee, has reviewed the proposed change to the Idaho canola, rapeseed , mustard certification standards. The Idaho Department of Agriculture also reviewed the proposed change. Receiving no objections in regard to the proposed change, the Foundation Seed Stocks – Alternative Crops Sub-Committee recommends that changes be accepted as submitted and that the standards be forwarded to the University of Idaho – Board of Regents for acceptance and presented to the State of Idaho Legislature for consideration as rule under the Idaho Administrative Procedures Act.

Upon Your Signature below you are accepting this change to the Idaho Crop Improvement Standards as presented to committee.

Mark McGuire Date: 4/26/16

Mark McGuire
Idaho Agricultural Experiment Station

Cc: Kent Nelson, Doug Boze

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Idaho Rapeseed/Canola/Mustard Certification Standards (rev. 3/17/2015)(Draft rev. 3/2016)

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B. juncea	20 feet	20 feet	1,320 feet	***S. alba***
S. alba	20 feet	20 feet	20 feet	1,320 feet

A field producing certified seed must have the minimum isolation distance from fields of any other variety or species, or fields of the same variety that do not meet the varietal requirements for certification, as given in the following table:

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S. alba	10 feet	10 feet	10 feet	660 feet

Field Standards:

Species	**Foundation Seed**		**Certified Seed**	
	Other Brassica's 1	**Other * Varieties 2**	**Other Brassica's**	**Other Varieties**
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* Other varieties shall be considered to include off-type plants and plants that can be differentiated from the variety being inspected.

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Factor	**Standards from each class**	
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Inert Matter (Max.)	1%	1%
Weed Seed (Max.)	10/50 grams	20/50 grams
Prohibited Noxious Weeds **1**	None	None
Objectionable Weeds (Max.) **2**	1/50 grams	2/50 grams
Seed Analysis **3**	See footenote 3	See footenote 3
Sclerotinia bodies	~~None~~ 1/50 grams	~~None~~ 1/50 grams
Leptosphaeria maculans /Phoma lingum (Blackleg)	0.01%	0.01%

Germination (Min.)	85%	85%

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2 Objectionable weed seeds are defined as: Restricted noxious plus *Brassica* species other than crop being inspected, and *Galium aparine* (Bedstraw).

3 Erucic acid and glucosinolate content must be within tolerances as described by the plant breeder for each variety.

4 All seed lots for which certification is applied shall be assayed for virulent Phoma lingam/Leptosphaeria maculans (Blackleg) and shown to be 99.99% free of this seed borne fungi.

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SUBJECT

Proposed Rule IDAPA 47.01.01 – Division of Vocational Rehabilitation

REFERENCE

June 2015	Board approved pending rule to clarify language regarding the Divisions of Vocation Rehabilitation customer appeal and mediation process as well as technical changes. Board approved the Division of Vocational Rehabilitations Field Service Manual.
August 2015	Board approved pending rule change to IDAPA 47.01.01

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. In 2015, 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. Starting in 2015 IDVR began the process of identifying areas that belong in the manual versus those areas that more appropriately belong in administrative rule with the end goal of removing the Field Service Manual from Administrative Code altogether. The proposed amendments to the Field Service Manual and administrative rule, IDAPA 47.01.01 provided for consideration this year are phase 2 of a multi-year process.

Additional amendments are being made to update references to the Workforce Innovation and Opportunity Act and update the Order of Selection procedures with federal guidelines and best practices.

IMPACT

The proposed changes incorporate the updated Field Service Manual into rule and bring the rule compliant with federal order of selection guidelines.

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.

Staff recommends approval.

BOARD ACTION

I move to approve the Division of Vocational Rehabilitations Field Services Policy Manual as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

AND

I move to approve changes to Proposed Rule IDAPA 47.01.01 as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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, as amended. ~~(4-5-00)~~

(Break in Continuity of Sections)

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, ~~August 13, 2015,~~ approved August 11, 2016, available for review on the website at http://www.vr.idaho.gov/. (3-25-16)

c. Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128.~~Workforce Investment Act, Public Law 105-220.~~ ~~(5-3-03)~~

d. Federal Register, Department of Education, 34 CFR Parts 361, ~~–~~363, and 397. ~~(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, 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 for~~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, or 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 Policy 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)

(Break in Continuity of Sections)

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 ~~L~~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)

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 r~~Requests 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.

In the event that the Division of Vocational Rehabilitation lacks the personnel and/or financial resources to provide the full range of vocational rehabilitation services to all eligible individuals, the following Order of Selection (OOS) will be used to prioritize service provision. Students with disabilities (as defined by 34 CFR 361.5 (c) (51)) who received pre-employment transition services prior to eligibility determination and assignment to a priority category shall continue to receive such services. All customers who have an Individualized Plan for Employment (IPE) will continue to be served.

Priority will be given to eligible individuals with the most significant disabilities, followed by those eligible individuals with significant disabilities, and finally those eligible individuals with disabilities. All eligible customers will be assigned to one of the following priority categories:

~~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**. Eligible individuals with the Most Significant Disabilities (MSD).

~~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**. Eligible individuals with Significant Disabilities (SD)~~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 with most significant disabilities. (7-1-13)~~

03. **Priority ~~Number~~ 3**. All other eligible individuals with Disabilities (D). ~~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)~~

If the Idaho Division of Vocational Rehabilitation cannot serve all eligible individuals within a given priority category, individuals will be released from the statewide waitlist based on priority category and date of application.

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 for~~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 for~~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 Requirement. 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~~)~~(CRP) Services. ~~IDVR~~ Idaho Division of Vocational Rehabilitation 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)

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Field Services Policy Manual

Draft~~Approved~~ August 1~~3~~, 2016~~5~~

Effective July 1, 2017~~6~~

IDAHO DIVISION OF VOCATIONAL REHABILITATION
FIELD SERVICES POLICY MANUAL

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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) 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 RM for access to pertinent cooperative agreements.

Vocational Rehabilitation is based upon an Individualized Plan for 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

VRCs are delegated substantial decision and purchasing authority based upon the maximum agency contributions ~~caps~~ outlined in the Payment Policy. Exceptions to policy require the approval of a RM and the notification and consultation of the Chief of Field Services. Documentation of the RM's approval must be noted in the case file.

Purchases in excess of delegated authority are reviewed by the RM 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 in the Federal Register implementing the Rehabilitation Act Amendments; 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.

Goods and services will be provided subject to the guidelines of 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:

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

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. 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 O~~o~~rder of S~~s~~election described in Sec. 361.36 in the States that use an O~~o~~rder of S~~s~~election; 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 O~~o~~rder of S~~s~~election 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 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) and 12 (c) of the Act; 29 U.S.C. 705(2) and 709 (c))

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: Sections 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))

f.

~~g.~~

g. ***Competitive integrated 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))~~ that (i) Is performed on a full-time or part-time basis (including self-employment) and for which an individual is compensated at a rate that (A) Is not less than the higher of the rate specified in Fair Labor Standards Act or the rate required under Idaho's minimum wage law; (B) Is not less than the customary rate paid by the employer for similar work performed by other employees and who have similar training, experience, and skills; and (C) For individuals who are self-employed, earns a comparable income to other individuals who are self-employed in similar occupations and who have similar training, experience, and skills; and (D) Is eligible for the same benefits provided to other employees; and (ii) Is at a location (A) Typically found in the community, (B) Where the employee with a disability interacts for the purpose of performing the duties of the position, with other employees in the particular work unit and the entire work site, and as appropriate to the work performed, other persons (e.g., customers and vendors), who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable positions interact with these persons; and (iii) Presents, as appropriate, opportunities for advancement that are similar to those for other employees who are not individuals with disabilities and who have similar positions. (Authority: Sections 7(5) and 12(c) of the Act; 29 U.S.C. 705(5) and 709(c))

h. ***Customized employment*** means, competitive integrated employment, for an individual with a significant disability, that is (i) Based on an individualized determination of the unique strengths, needs, and interests of the individual with a significant disability; (ii) Designed to meet the specific abilities of the individual with a significant disability and the business needs of the employer; and (iii) Carried out through flexible strategies, such as (A) Job exploration by the individual; and (B) Working with an employer to facilitate placement, including (1) customizing a job description based on current employer needs or on previously unidentified and unmet employer needs; (2) Developing a set of job duties, a work schedule and job arrangement, and specifics of supervision (including performance evaluation and review), and determining a job location; (3) Using a professional representative chose by the individual, or if elected self-representation, to work with an employer to facilitate placement; and (4) Providing services and supports at the job location. (Authority: Sections 7(7) and 12(c) of the Act; 29 U.S.C. 705(7) and 709(c))

i. ***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)(4~~3~~)(A) of the Act; 29 U.S.C. 705 (11), 709(c), 720 (a)~~(2)~~, and 722 (b)(4~~3~~)(A))

j. ***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.

k. ***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.~~l. ***Extended Employment*** *means* work in a non-integrated or sheltered setting for a public or private nonprofit agency or organization that provides compensation in accordance with the Fair Labor Standards Act. (Authority: Section 12 (c)) of the Act; 29 U.S.C. 709 (c))

~~l.~~m. ***Extended services*** means ongoing support services and other appropriate services that are needed to support and maintain a customer with a most significant disability including a youth 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), 12 (c)), and ~~and~~ 604(b)~~23~~ of the Act; 29 U.S.C. 705 (13), 709 (c) and 795~~ii)~~)

~~m.~~n. ***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)(19~~7~~) of the Act; 29 U.S.C. 709 (c) and 723 (a)(19~~7~~))

~~n.~~o. ***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.~~p. ***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.~~q. ***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.~~r. ***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.~~*s.* ***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 individuals~~customers~~ other than non-disabled individuals~~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 where the employee with a disability~~in which applicants or eligible customers~~ interacts, for the purpose of performing the duties of the position, ~~-~~with other employees within the particular work unit and the entire work site, and, as appropriate to the work performed, other persons who are not individuals with disabilities (not including supervisory personnel or individuals who are providing services to such employee) to the same extent that employees who are not individuals with disabilities and who are in comparable position interact with these customers. ~~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.~~*t.* ***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.~~*u.* ***Ongoing support services,*** as used in the definition of "Supported E~~e~~mployment", means services that ~~(i) Means services that are~~ (i~~A~~) Are n~~N~~eeded to support and maintain a customer with a most significant disability, including a youth with a most significant disability, ~~-~~in supported employment; (ii~~B~~) Are i~~I~~dentified based on a determination by the designated State unit of the customer's need as specified in an individualized plan for employment; and (iii~~C~~) Are f~~F~~urnished 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.~~v. ***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)(4~~3~~)(B)(i)(I), and 103(a)(9) of the Act; 29 U.S.C. 705(28), 722(b)(4~~3~~)(B)(i)(I), and 723(a)(9)) [[Page 272]]

~~v.~~w. ***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))

~~w. ***Pre-employment transition services*** are those services/activities for students with disabilities (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 be also be provided. (Authority: Section 7(30), and 113 of the Act; 29 U.S.C. 7(30) and 733)~~

x. ***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, musculoskeletal, 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))

y. ***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.

z. ***Pre-employment transition services*** are those services/activities for students with disabilities (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)

~~z.~~aa. ***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(31~~1~~2)~~(c)~~ and 12 (c) of the Act; 29 U.S.C. 705 (32) ~~9~~and 709 (c))

~~aa.~~bb. ***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(32~~0~~) of the Act; 29 U.S.C. 705(32~~0~~))

~~bb.~~cc. S***tudent with a disability*** is an individual with a disability in a secondary, postsecondary, or other recognized education program who ~~who~~ is under the age of 22 at the time of service delivery and is eligible for and receiving special education services or is an individual with a disability, for the purposes of Section ~~on a~~ 504 ~~Plan~~. (Authority: Section 7(37) of the Act; 29 U.S.C. 705(37))

~~cc.~~dd. ***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))

~~dd.~~ee. ***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(38~~5~~), 709 (c), and 795g of the Act; 29 U.S.C. 7~~05~~(38~~5~~), 12 (c), and 602)~~)~~

~~ee.~~ff. ***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 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 unavailable from an

extended services provider and that are necessary to maintain or regain the job placement or advance in employment. (Authority: Sections 7(396), and 12 (c), and 103 (a) (16) of the Act; 29 U.S.C. 705(39), 6 and 709 (c), and 723 (a) (16))

ff.gg. ***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)12 (c) and 103 (a)(15) and (b) (7) of the Act; 29 U.S.C. 7095 (c) (37) and 723 (a)(15) and (b) (7))

gg.hh. ***Transitional employment,*** as used in the definition of "Supported 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(385)(B) and 12 (c) of the Act; 29 U.S.C. 705(385)(B) and 709 (c))

hh.ii. ***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: Section 12 (c) and 103 (a)(8) of the Act; 29 U.S.C. 709 (c) and 723 (a)(8)) (i)

ii.jj. ***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.

ii. ***Youth 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(423))

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 IDVR employees must adhere to the Idaho Ethics in Government Manual: http://www.ag.idaho.gov/publications/manuals.html
B. IDVR ascribes to, and requires all Vocational Rehabilitation Counselors (VRCs) and field services 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 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:

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 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 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 RM. The request must describe the complaint.

In holding an Informal Review, the RM will function as the Review Officer. At the customer's request another RM 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 (RM) 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, which 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

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 for them to~~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 customer, Federal and State programs~~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 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 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 A~~a~~pplication S~~s~~ignature S~~s~~heet from a customer or his/her representative, or an alternate request for application is made to an IDVR office;

AND

2. The customer provides the information needed to begin an assessment of eligibility. Information gathered in the intake interview meets this criterion;

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 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 regarding~~about~~ the following:

1. The Client Assistance Program (CAP);
2. Confidentiality;
3. VR services;
4. Informed choice;
5. The rehabilitation process;
6. C~~That c~~ustomers 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 may~~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 IDVR staff

5.4 Assessment for Determining Eligibility

Any customer who applies for services shall undergo an assessment to~~for~~ determine~~ing~~ 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 (a~~A~~ll three components of the~~an~~ application process must be complete~~received))~~) unless the following occurs:

A. The customer is notified that exceptional and unforeseen circumstances beyond the control of IDVR preclude the counselor from completing the determination within the prescribed time frame and the customer agrees that an extension of time is warranted;

OR

B. A T~~t~~rial W~~w~~ork E~~e~~xperience including an exploration of the customer's abilities, capabilities, and capacity to perform in realistic 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 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 VRC employed by IDVR that the customer requires vocational rehabilitation services to prepare for, secure, retain, advance in, ~~-~~or regain employment consistent with the applicant's unique strengths, resources, priorities, concerns, abilities, capabilities, interest, and informed choice.
~~;~~

IDVR presumes that ~~A presumption by a qualified VRC that the~~ an applicant who meets the eligibility requirements above 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 convinc*~~*Prior to any determination that an applicant is unable to benefit from vocational rehabilitation services due to the severity of their disability, IDVR must assess the individual's abilities, capabilities and capacity to perform in competitive integrated employment settings to the maximum extent possible, consistent with the informed choice and rehabilitation needs of the customer, through Trial Work Experiences.*
~~*ing 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 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 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 meet~~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 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 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 education~~needs~~ services)
- Licensed Clinical Social Worker (LCSW)
- Licensed Clinical Professional Counselor (LCPC)
- 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 licensing/certifying boards outside the federal/state purview cannot be used~~tilized as a~~ for ~~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 services~~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 VRC 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 VRC cannot presume that VR services will enable the customer to work (must be demonstrated based on clear and convincing evidence, see Section 5.6.1 for explanation of clear and convincing evidence).

Should the significance of the disability prevent a VRC from presuming that VR services will enable the customer to work, the customer will be asked to complete a T~~t~~rial W~~w~~ork E~~e~~xperience in order for the counselor to ~~make an~~ determine 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 Aassessment of Ddata for Eeligibility Ddetermination

The eligibility determination must be based on the basic eligibility requirements and shall also be based include aon 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 Eligibility Determination completed by a qualified 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, Client Assistance Program (CAP) information and information and referral to other appropriate agencies, which may include referral to the other Wworkforce Development System partners. A customer should be referred to the Extended Employment Services Program for work services if the ineligibility reason is "Disability tTOo Significant to Benefit from VR Servicesseverely Disabled."

Ineligibility decisions based upon the severity of disability must outline clear and convincing evidence and require a period of Ttrial Wwork Eexperiences or extended evaluation prior to closure. (See Closure, Section 13)

NOTE: Clear and convincing evidence is a high degree of certainty a VR counselor has before concluding that an individual cannot benefit from VR services in terms of an employment outcome. The clear and convincing standard constitutes the highest standard used in the civil system of law. The standard is to be applied on a case-by-case basis.

The term *clear* means unequivocal. For example, the use of an intelligence test result alone would not constitute clear and convincing evidence. However, clear and convincing evidence might include a description of assessments, including situational assessments and supported employment assessments, from service providers who have concluded that they would be unable to meet the individual's needs due to the severity of the individual's disability. The demonstration of "clear and convincing evidence" must include, if appropriate, a functional assessment of skill development activities, with any necessary supports (including assistive technology), in real life settings.

It is a federal~~ly~~ requirement ~~mandated~~ that IDVR review the closure outcomes for those who are ~~of~~ "Disability t~~t~~oo Significant~~severely~~ to Benefit from VR Services ~~disabled~~" within 12 months of closure and annually thereafter, if requested. (See Section 13)

5.6.2 Trial Work Experiences (TWE) for C~~c~~ustomers with S~~s~~ignificant D~~d~~isabilities: Prior to any determination that an applicant ~~customer~~ with a disability is unable~~incapable~~ to benefit ~~of benefiting~~ from VR services in terms of an employment outcome because of the severity of ~~that customer's~~ disability, IDVR must assess the~~an exploration of that~~ customer's abilities, capabilities, and the capacity to perform in competitive integrated ~~realistic wo~~work situations, to the maximum extent possible, consistent with informed choice and rehabilitation needs of the individual.~~must be conducted to determine whether or not there is clear and convincing evidence to support such a determination.~~

In such cases a written Trial Work Experience (TWE) 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.~~ Trial Work Experiences~~WE i~~ includes~~:~~ supported employment, on-the-job training, Community Based Work Evaluation (CBWE), and other experiences using realistic ~~situational assessment, and other experiences using realistic~~ work settings and must be of~~a~~ sufficient variety and over a sufficient period of time to ~~make such~~ determine~~ation~~ that there is sufficient evidence to conclude that the individual cannot benefit from Vocational Rehabilitation services in terms of a competitive integrated employment outcome. Appropriate supports, including assistive technology devices and services and personal assistance services to accommodate the rehabilitation needs of the customer must be provided, if needed.

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 the customer's ability~~capacity~~ to benefit from services.

~~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 s~~S~~ervices in terms of an employment outcome or there is clear and convincing evidence that the customer is incapable of benefiting from VR s~~S~~ervices 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 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 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 VRC will determine the significance of the disability and, based upon the determination, will assign the customer to a priority category. If the A~~a~~gency 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, when ~~if~~ required. If the Agency is under an Order of Selection (see Field Services Policy Manual S~~s~~ection 14.0), the priority categories are used to determine the order in which customers receive services.

6.2 Definitions

Priority Categories:

Priority 1 – Eligible individuals with the Most Significant Disabilities (MSD)

Priority 2 – Eligible individuals with Significant Disabilities (SD)

Priority 3 – All other eligible individuals with Disabilities (D)

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).

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).

~~A. No Significant Disability (NSD)~~

~~B. Significant Disability (SD)~~

~~C. Most Significant Disability (MSD)~~

~~No Significant~~ Disability (~~NS~~D)

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~~ote~~: Customers who are beneficiaries of Social Security Disability Insurance (SSDI) or recipients of Supplemental Security Income (SSI) for disability reasons are categorized as ~~automatically classified as either~~ SD or MSD, depending upon the extent of their functional capacity~~loss category~~ limitations.

Order of Selection (OOS): When VR services cannot be provided to all eligible customers because of fiscal~~nancial~~ or personnel ~~service~~ capacity constraints, the Agency will enter an Order of Selection process that will ensure~~assure~~ that first priority is given to customers with the M~~m~~ost S~~s~~ignificant D~~d~~isabilities. *Please review Section 14.0 for details regarding Order of Selection.*

6.3 Procedures

Determination of Severity~~significance~~ of Disability

A VRC determines and ~~adequately~~ documents the level of severity of a customer's disability based on a review of the information gathered for~~to~~ eligibility determination~~e eligibility~~. If additional information is necessary to make the determination, a 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 VRC may purchase diagnostics from a qualified service provider.

A 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 retain~~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 VRC reviews and assesses data provided by the customer or customer's family, observed by the 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 individuals~~customers~~ in order to prepare for, secure, or retain~~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 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 VRC's judgment to determine whether limitations are disability related or not.

Self-Reported or Observed Loss of Functional Capacity

A review and assessment of existing data, including counselor observations, ~~A VRC may identify a loss of functional capacity based on a~~ information provided by the customer or the customer's family, particularly information used by education officials or ~~customer's self-report, reports from the family,~~ school representatives or others may be used to identify loss of functional capacity.~~, or based on counselor observations.~~

Counselor observations alone are not adequate to support the determination of a serious functional loss, but should be used in conjunction with supporting medical information provided by a qualified professional. If an individual reports a functional loss that is not consistent with or

not supported by disability related documentation, the VRC and the individual need to discuss and reach an agreement as to how to obtain the information necessary to verify the functional loss.

For example, while interviewing an applicant who is hard of hearing, a 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 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 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 VRC determines a disability-related loss of functional capacity, the 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 VRC checks the appropriate indicator on the Checklist.

The 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).
The same information gathered during the assessment process for eligibility may be used in the significance of disability determination.

An individual is classified in the highest priority category he/she meets. The determination may be re-evaluated at any time during the VR process if either the individual or the VRC believes there is a significant change in the individual's disabling condition which could result in a change of priority categories. Under an Order of Selection, a re-evaluation would never result in an individual being moved from an open service category to a closed service category.

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 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 VRC and customer will evaluate the following relevant factors.

Work History:

The 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 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 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 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 VRC to identify aptitudes and transferable skills.

7.2.2 Identification of potential employment goal, rehabilitation needs, and IPE services

The 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 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 VRC must concur that the vocational goal is feasible. The VRC will then assist in identifying the IPE services needed to remove barriers to employment. The 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*

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 participation in the cost of Vocational Rehabilitation services is based on their income and other factors. The Financial Participation Assessment 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 not factors in the eligibility determination.

Financial Participation is assessed using IDVR's Financial Participation Assessment (FPA) Form.

1. After eligibility, during plan development, while exploring comparable benefits, AND

2. Every twelve (12) months or if financial circumstances change significantly, whichever occurs sooner.

Services Exempt from Financial Participation:
A Financial Participation Assessment will be applied as a condition for providing vocational rehabilitation services, EXCEPT for the following: (34 CFR 361.54(b) (3))

1. Assessment for determining eligibility and vocational rehabilitation needs.
   NOTE~~ote~~: 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 assistance 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).

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.

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.

Exemption from Required Participation

Customers who receive SSI and/or SSDI are exempt from financial contribution. However, to ensure a customer qualifies for this exemption, written proof of SSI or SSDI qualification must be received. *It should be noted that customers who receive Social Security benefits from 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.*

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.

In exceptional cases, circumstances may occur where rigid adherence to the Financial Participation Policy could seriously jeopardize the customer's opportunity to achieve rehabilitation objectives and an employment outcome. In such cases, exceptions to the policy may be considered by the RM and Chief of Field Services.

The customer, parents or legal guardian completing the Financial Participation Assessment Form will be required to provide financial documentation for verification. If the customer has a financial participation requirement, it will be applied to purchases prior to assessing any maximum agency contributions~~caps~~ from the Agency Payment Policy (Section 12.2).

SECTION 9.0 PURCHASE OF SERVICES AND SUPPLIES FOR PARTICIPANT USE IN THE VOCATIONAL REHABILITATION PROGRAM

All purchases must follow federal, state, and IDVR purchasing guidelines.

Purchases require written authorization (Authorization for Purchase (AFP)), 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.

The Rehabilitation Act of 1973, as amended, and it's 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 VRC cannot obligate IDVR to services that exceed his/her procurement authority. An Individualized Plan for Employment (IPE) that will include a service generating an AFP over $5,000 will require the RM's written approval of the IPE prior to the plan being approved. The VRC will inform the customer that the plan is pending approval during this process. An AFP cannot be fragmented into multiple AFP's as a way to circumvent this approval.

All purchases in excess of $5,000 shall be reviewed and recommended by the RM.

NOTE: *Case service expenditures require written authorization prior to the initiation of the service or the purchase of any equipment. Verbal authorizations are permitted in emergency situations by the 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. 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 AFP 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 pay providers of medical services (both medical and psychological) based upon usual and customary fees for their area of specialization or based upon maximum agency contributions ~~payment caps~~ that have been imposed for specific services (r~~R~~eview the Payment Policy – Section 12.2 for more guidance). Customers are responsible for the cost of no-show or missed appointments. Regional Managers may approve exceptions on a case-by-case basis. Documentation of the exception is required in the case record. ~~Providers will be 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 shall contain necessary evidence and documentation of adherence to these principles.

J. 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 IDVR or any other entity

OR

B. With assistance from:
   a. A qualified VRC employed by IDVR.
   b. A qualified 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 VRC, and when required, the RM or designee. An IPE is considered approved and services initiated only after all required signatures have been obtained.

A comprehensive assessment must be competed 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. 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 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 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 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 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 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 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 Individualized Education Program~~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 VRC should ensure that the IPE is developed and implemented in a timely manner, within 90 days of the eligibility decision. *An exception may be made and must be documented 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 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 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 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 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:
VRCs who do not meet CSPD will continue to require RM approval for all plans. RMs may, 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 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 VRC, all potential comparable benefits that may be available during the development of the Individualized Plan for Employment (IPE). If comparable benefits 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 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 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 vocational~~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 in 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 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, except for the ~~following~~ list provided in this section. An exception to the payment policy is included at the end of this section, explaining that the maximum agency contributions~~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 available~~appropriate~~, customers are required to utilize Comparable Services and Benefits ~~and Services~~ (Section 11.0). Personal financial 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 ~~cap~~maximum agency contributions from the purchasing section.

Purchasing Requirements to Procure Goods and Services~~Rates of Payment:~~

The State of Idaho purchasing statues require State agencies to purchase goods and services off of the statewide contract. This allows agencies to purchase items off of contracts at pre-negotiated prices. Therefore, before ordering goods or services for customers, staff must verify that those items are or are not on the statewide contract list. Goods and services purchased using the statewide contracts do not require three bids from vendors. If goods or services cannot be purchased through one of the statewide contracts, other vendors may be used in the competitive bid process. For those goods and services which are $500 or more, staff will need to obtain three bids. Idaho is a low bid State; therefore, the lowest bid, meeting specifications, will be the maximum amount IDVR will contribute to the purchase of goods or services.

The following items are exempt from the Department of Purchasing's requirement to use the statewide contract if the items are under $50,000, however purchasing rules still apply with regard to acquiring three bids, when available and practical.

1. Prosthetics or personally prescribed devices.
2. Tuition or training fees for individualized job-related training.
3. Vehicle modifications to meet individual mobility needs.

Rates of Payment

Fees are established in accordance with federal guidelines that permit an agency to establish maximum agency contribution ~~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 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, however if the cost of the services exceeds the maximum agency contribution~~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 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 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: Public or private post-secondary institutions including colleges, universities, vocational technical schools, and other educational and training institutions (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 State of Idaho public institution, IDVR will pay a maximum of 1.5 times the rate of a 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; 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 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. Customers are required to adhere to the rental agreement.~~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 IDVR must be returned to IDVR unless negotiated previously with VRC (where the book may be used for additional classes, reference, or for disability reasons).~~

IDVR will pay up to actual cost of~~a maximum of 90% of t~~ 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 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~~ 90 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:** $~~22~~300 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~~90
Frames w/ Single Vision Lenses (per pair) $180~~65~~
Frames w/ Bifocal Lenses (per pair) $200~~185~~
Frames w/ Trifocal Lenses (per pair) $23~~1~~0
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 $6~~4~~0.00 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 $4~~25~~0.00 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.

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, 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 Individualized Plan for 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.

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.
- Community Based Work Adjustment (CBWA) – maximum 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. The A~~A~~gency's existing inventory of tools and equipment will count towards the $1,500 maximum. *The VRC must always negotiate in the best interest of the agency on cost services and must use the statewide contract or obtain~~get~~ three bids, if vendors are available, on all durable equipment (reusable) valued at $500 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 then purchase new tools up to the $1,500 maximum for the new vocational goal.~~employment outcome.~~

NOTE: *A Property Agreement must be secured on all durable equipment or reusable supplies that is ~~exceed~~ $500 or more in value.*

21. On-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 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)

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. Standard use computers are required to use the statewide contract.

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 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-Show or Missed Appointments:

If a customer does not attend an appointment and does not cancel or reschedule the appointment (within the parameters of the provider), the customer will be responsible for payment of any charges – not VR. Regional Managers may approve exceptions on a case-by-case basis. Documentation of the exception is required in the case record.

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 Maximum Agency Contribution~~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 Maximum Agency Contribution ~~Rate of Pay~~ Process:
To be considered for an exception, the customer and VRC should first seek approval from the RM. RMs have the authority to approve an~~the~~ exception as long the exception is not more than 50% of the maximum agency contribution~~service cap~~. Greater than 50% of the maximum agency contribution ~~service cap~~ will require the approval of the Chief of Field

Services. The 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, VRC and manager (when appropriate) believe the exception is warranted. The Chief of Field Services (or 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 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 justification~~grounds~~ for requesting an exception. While a customer may present one or more of these reasons for an exception, 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 for~~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 state, within the maximum agency contributions ~~Payment p~~Policy~~ maximums~~.

12.3 Counseling and Guidance

IDVR recognizes that vocational counseling and guidance is the key element in the rehabilitation process in that it is the method for 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 or through the completion of the post-employment period.

Vocational counseling and guidance, including referral and placement, are essential VR services provided by the 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 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 "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 Related Training 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 for education/training~~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 grade~~ing~~ period in which to attain good standing. IDVR financial participation will terminate after that grade~~ing~~ 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 receives~~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 Default
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-Job-Training (OJT)
An OJT is for a customer who~~that~~ is hired by an employer who~~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-Job-Supports

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 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, 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 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 VRC will contact the CRP to discuss required services, negotiate and agree upon time frames and costs.

3. The VRC will submit referral information necessary for the CRP to provide the agreed upon services.

4. The customer, VRC, and CRP will have a staffing prior to initiating services (this staffing can be by phone or in person).

5. The VRC and customer will develop and agree to regularly scheduled contacts while receiving CRP services (minimum once a month).

6. The customer, 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.cfm 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 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 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 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 VRC will staff the case with the RM for approval. The RM 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 VRC proceeds with the Alternative Hiring Process to the hiring authority.

NOTE~~ote~~: 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 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 RM and Chief of Field Services prior to agreeing to the purchase for the customer. The 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~~ote~~: *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 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 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 VRC to pursue the development of a business plan.

IDVR values self-employment as a viable vocational outcome. Self-employment is presented by the VRC within the repertoire of vocational options and may be considered by customers and VRCs 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, **a**nalysis 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 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 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 startup 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 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.

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)

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:

Business Capitalization	Maximum IDVR Financial Assistance	Minimum Customer Participation
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

Services provided under a Self-Employment Plan must adhere to the stipulations of the Agency's Payment Policy (Section12.2) and the maximum agency contributions. 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, 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 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 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 VRC.

  a. If the customer and IDVR agree, then the 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 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 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 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.

- 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 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, VRC, 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 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 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 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 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 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 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 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 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 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~~ote~~: *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~~ote~~: 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 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 VRC and customer will identify the level of ongoing job support necessary to maintain successful employment.

C. The 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 "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).

12.14 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~~ote~~: 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 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,~~ trial work, 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. IDVR may request 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 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 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)).

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/.

Maximum per diem food rates for out of state can be found at: www.gsa.gov.

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 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 IDVR participation or work.

12.17 School Transition

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 (IEP~~E~~'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 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 VRC may participate and/or consult during the development of Individualized Education~~al~~ Programs~~Plans~~ (IEPs), Individual Transition Plans (ITPs) and Child Study Teams (CSTs) at the invitation of the school and agreement between the 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~~ or -Trial Work Period). The customer and 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 RM.

B. The IPE must set forth the services to be provided to the family member.

C. In developing the IPE the 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 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 IDVR process. IDVR does not provide PCA services in lieu of existing PCA programs and providers. If the VRC determines that PCA services are necessary for the customer to complete the objectives of the IPE, the VRC 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 VRC 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 funded 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 required 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 VRC is unable to verify the existence of a disabling condition. 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 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 VRC cannot establish that there is a substantial barrier to employment based on disability. 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 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 VRC has been unable to identify substantial VR services necessary to secure, retain or regain employment. 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 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 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 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 agencies as appropriate.

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.

E. Extended services unavailable

The VRC has determined that extended services are required and the VRC and customer have determined that the extended services are not available at this time. The decision requires 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. Closure determination, explaining in clear and concise language the reason(s) for the determination.
    b. Appeal rights (Rights and Responsibilities).
    c. Information regarding the Client Assistance Program (CAP).

3. Referral to other agencies as appropriate.

F. No longer interested in receiving services, unable to locate/contact or moved, 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 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 During Eligibility Status

A. Unable to benefit from VR services, disability too severe for services

The 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 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 agencies or the Extended Employment Program, as appropriate.

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 VRC has determined that extended services are required and the 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. Closure determination, explaining in clear and concise language the reason(s) for the determination.
    b. Appeal rights (Rights and Responsibilities).
    c. Information regarding the Client Assistance Program (CAP).

3. Referral to other agency ies, as appropriate.

C. No longer interested in receiving services, unable to locate/contact or moved, death, institutionalized or incarcerated, transportation not feasible or available, transferred to another agency, and all other reasons.

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 (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 Wait List**

When the VRC is unable to contact (the VRC uses the closure reason – unable to locate/contact or moved) or the customer has declined VR participation (the VRC uses the closure reason – **No longer interested in receiving services**).

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 (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 VRC, through clear and convincing evidence has established that the customer is unable to benefit in terms of an employment outcome. A 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 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. Closure determination, explaining in clear and concise language the reason(s) for the determination.
b. Appeal rights (Rights and Responsibilities).
c. Information regarding the Client Assistance Program (CAP)

3. Referral to other agencies or the Extended Employment Program, as appropriate.

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 RM.

B. Extended services unavailable

The VRC has determined that extended services are required and the 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. Closure determination, explaining in clear and concise language the reason(s) for the determination.
b. Appeal rights (Rights and Responsibilities)
c. Information regarding the Client Assistance Program (CAP)

C. No longer interested in receiving services, unable to locate/contact or moved, death, institutionalized or incarcerated, transportation not feasible or available, transferred to another agency, and all other reasons.

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 (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 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.

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 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.

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.

13.5 Closure After Post Employment Services (PES)

A. Closed unemployed; opening a new VR case

The 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 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 VR services, as appropriate, to all eligible customers, the Administrator will implement the Division's Order of Selection (OOS). procedure. By law, Federal regulations require the Division ensure this procedure must insure that customers with the most significant disabilities are served first. The criteria used for determining the OOSOrder of Selection for services is the severitycategory of significance of the disability aspriority category defined in the Field Services Policy Manual Section 6.2. and the application date for IDVR services.

14.2 Factors Prohibited in Order of Selection Consideration

Factors that will not be considered in determining used as criteria for establishing an an Oorder of Sselection priority category include:

A. Type of d~~D~~isability;
B. Duration of residency, provided the customer is present in the state;
C. Age, gender, race, color or national origin;
D. Source of referral or cooperative agreements with other agencies;
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

Under Order of Selection the Division must:

- Continue to accept applications and make determinations of eligibility. This includes the continued provision of diagnostic services necessary to determine eligibility and the individual's priority under the Order of Selection.
- Continue to provide pre-employment transition services to students with disabilities who were receiving such services prior to determination of eligibility and assignment to a priority category.
- Continue to provide services to all individuals under an IPE who has begun to receive services prior to the effective date of the Order of Selection, regardless of the severity of the individual's disability.
- Implement the Order of Selection on a statewide basis.
- Notify all eligible individuals of the priority categories and their assignment to a particular category.
- Notify eligible individuals of their right to appeal their category assignment.
- Ensure all funding arrangements, including third-party cooperative arrangements and awards under the establishment authority, are consistent with the Order of Selection or renegotiate the funding arrangements to be consistent with the Order of Selection.
- Provide adequate referral assistance (including the documentation of a point of contact for the referral agency) to individuals with disabilities who are:
    1. not eligible for services or
    ~~1.~~ 2. are eligible, but are currently on a wait list.~~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 Severity of~~ignificant~~ Disability

When a VRC ~~determines a customer is eligible, the VRC also~~makes an eligibility determination, they also ~~establishes~~determine the ~~level of significance~~ severity of disability based upon the criteria established in the Field Services Policy Manual Section 6.0. The ~~level of significance~~ severity of the customer's disability is ~~identified~~ categorized into one~~with one~~ of the following three priority categories:

Priority 1 – Eligible individuals with the Most Significant disabilities (MSD).

Priority 2 – Eligible individuals with Significant Disabilities (SD).

Priority 3 – All other eligible individuals with Disabilities (D).

Individuals will be released from the statewide wait list based first on priority category and second by earliest date of application. Prior to any change to priority categories being served, the field and impacted customers, will be notified of the change and the effective date.

Reassessment of Severity of Disability

A request for priority category reclassification is allowable in cases where it would be necessary and appropriate for IDVR to authorize a reassessment of the significance of a disability when existing records and/or other evidence do not accurately describe the individual's current level of functioning. Regional Manager approval is required prior to a reevaluation of severity of disability. A Customer will make a request for reclassification of severity of disability by submitting a written request to the Regional Manager within 21 calendar days of notification of their priority category.~~Customers with disabilities~~

~~A. Customers with significant disabilities~~
~~B. Customers with the most significant disabilities~~

Maintenance of Statewide Order of Selection Wait~~ing~~ List

After priority category assignment, an individual will be served or placed on a wait list if their category is restricted.~~When a 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 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 placement on the wait list (if applicable).
- Their right to appeal their category assignment.
- Their requirement to respond to agency contact within 30 days to avoid case closure and removal from the wait list.
- The availability of the Client Assistance Program (CAP).

Individuals When resources are available, the Chief of Field Services notifies the RMs of the number of customers to take from the waiting list by priority category, application date(s) and office locations. RMs coordinate with the VRCs to transfer the corresponding cases from the Order of Selection waiting list in respective offices to 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 IDVR office. The request for transfer will be processed by the RM where the case residesOOS wait list will be contacted at least once in the first 90 days .

Transferring a New Case to the Order of Selection Waiting List

The RM 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 VRC's caseload to the office Order of Selection waiting list within ten (10) business days of the after an eligibility determination is made. Subsequent contact shall be made at least every 180 days while the customer isdate.

The RM 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 VRC

Upon notification to initiate services for case on the Order of Selection waiting list for the specified priority category and application dates, the RM or designee must transfer cases from the Order of Selection office waiting list to a VRC within five (5) business days. The VRC is notified of the case transferred and is authorized to initiate serviceswait list.

The Division will conduct periodic projections of fiscal resources and its ability to serve customers in all priority categories.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 on the Waiting List

Based upon current and projected fiscal resources, IDVR will determine when it is appropriate to implement procedures to re-establish or maintain contact with customers while they are on the Orderopen a priority category and begin serving eligible individuals on OOS of Selection wait ing list and notify field staff of . 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 openthis change.

Upon receipt of the case transferred from the Order of Selection wait ling list, the IDVR staff will initiatetakes the following steps:

1. Engage To contact the customer to determine if services are still needed and schedule an appointment.
2. If telephone contacts are unsuccessful a letter will be sent to initiate contact.If initial contact attempts (e.g., phone or e-mail) are unsuccessful, a letter will be sent to notify the customer of their change in status and their need to contact IDVR to verify their continued interest in VR services.

3. ~~Reas~~Make reasonable ~~and timely~~ efforts to ~~find~~locate updated phone numbers and/or addresses for the customer.
4. If the customer has not responded within 30~~forty (40)~~ days from the date the letter was sent, IDVR staff will proceed with case closure.

VR staff~~Cs~~ 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 will be ~~are~~ documented in ~~the~~ case notes ~~management system narrative~~ and filed in the case service record.

~~**Exceptions for Reopening Closed Cases**~~

~~A VRC may request the RM to obtain 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 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 VRC contacts a customer to initiate services and she/he is not ready to begin working with IDVR, the 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 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 w~~w~~orkforce development s~~investment s~~ystem.
~~**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 IDVR counseling staff member talks to the customer about his/her need to prepare for, get or keep a job. The 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 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~~

~~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 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 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 best suited to meet the specific employment needs of the customer. The VR counselor is required to document this referral in casenotes. In addition, the ~~ID~~VRC ~~counseling staff member~~ provides the customer ~~being referred~~ with the following:

A. A copy of the written referral notifying the other F~~f~~ederal or S~~s~~tate 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

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. Formal documentation requirements that apply to workforce development system partners do not apply to informal referrals.

14.6~~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 serv~~iced~~ed under an Order of Selection nor is the customer~~s~~ required to wait for services.

If substantial services are needed, PES is not appropriate. A new application should be taken and would be subject~~ed~~ to Order of Selection.

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SUBJECT

Proposed Rule IDAPA 47.01.02, Rules and Minimum Standards Governing Extended Employment Services.

REFERENCE

August 2006	Board approved the Temporary and Proposed Rules and Minimum Standards Governing Extended Employment Services.
November 2006	Board approved pending rule amendments to IDAPA 47.01.02.

APPLICABLE STATUTE, RULE, OR POLICY

Sections 33-2211 and 33-2303, Idaho Code

BACKGROUND/DISCUSSION

The Idaho Division of Vocational Rehabilitation (IDVR) is an agency of the Idaho State Board of Education. In July of 2004 Governor Kempthorne transferred the administration of the long term vocational support services in Idaho from the Department of Health and Welfare to Idaho Division of Vocational Rehabilitation. Legal authority to promulgate rules for the Extended Employment Services were established under House Bill 547 (2006). Rules promulgated at that time created IDAPA 47.01.02 establishing provider qualifications, defining eligible clients, and the services to be provided. There have been no updates to this section of Administrative Code since 2006.

IMPACT

IDVR does not anticipate any fiscal impact from the approval of these rules. The rules will provide guidance for community rehabilitation programs in the delivery of Extended Employment Services, information that will assist others in making appropriate referrals, and the authority for IDVR to intervene should providers fail to meet the standards set forth in the rules.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 47.01.02 Page 3

STAFF COMMENTS AND RECOMMENDATIONS

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

Staff recommends approval.

BOARD ACTION

I move to approve changes to proposed rule IDAPA 47.01.02, Rules and Minimum Standards Governing Extended Employment Services, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 47
TITLE 01
CHAPTER 02

47.01.02 - RULES AND MINIMUM STANDARDS GOVERNING EXTENDED EMPLOYMENT SERVICES

000. LEGAL AUTHORITY.
The following rules and minimum standards for Eextended Eemployment Ssservices are made under sections 33-2211 and 33-2303, Idaho Code. (3-14-07)

001. TITLE AND SCOPE.

01. Title. These rules govern the Extended Employment Services (EES) pProgram – of the Idaho Division of Vocation Rehabilitation (IDVR) and are to be cited as IDAPA 47.01.02, Idaho Division of Vocational Rehabilitation, "Rules and Minimum Standards Governing Extended Employment Services." (3-14-07)

02. Scope. In accordance with section 33-2203, Idaho Code, the EESExtended Employment Services pProgram of IDVR provides to eligible customerClients services that are intended to increase opportunities for such customerClients to work in their communities. IDVR The EES program – will contract with providers that have been approvedcertified by IDVR to provide such services, as provided herein. (3-14-07)

002. WRITTEN INTERPRETATIONS.
There are no written interpretations of these rules. (3-14-07)

003. ADMINISTRATIVE APPEALS.
Hearings and appeals shall be governed according to the provisions of IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (3-14-07)

004. INCORPORATION BY REFERENCE.
No documents are incorporated by reference. (3-14-07)

005. OFFICE INFORMATION.

01. Office Hours. The EES IDVR administrative office is open from 8:00 am until 5:00 pm Monday through Friday. (3-14-07)

02. Mailing Address. PO Box 83720, Boise, ID 83720-0096 (3-14-07)

03. Street Address. Len B. Jordan Building, 650 W State Street, Room 150, Boise, Idaho. (3-14-07)

04. Telephone. (208) 334-3390, Fax: (208) 334-5305 TDD: (208) 327-7040. (3-14-07)

05. Internet website at http://www.vr.idaho.gov/. (3-14-07)

006. PUBLIC RECORDS ACT COMPLIANCE.
These rules are subject to the provisions of the Idaho Public Records Act, Title 74, Chapter 1, Idaho Code. (3-14-07)

007. -- 009. (RESERVED)

010. DEFINITIONS.
For the purpose of the rules contained in this chapter, the following terms and abbreviations are used as herein defined.

(3-14-07)

01. **CARF**. The Rehabilitation Accreditation Commission, an international accrediting body of employment services providers. The internet website for CARF is http://www.carf.org. (3-14-07)

02. **CustomerClient**. An individual residing in the state of Idaho who has applied for, and who is eligible to receive, EESExtended Employment Services. from IDVR. A customerClient must be at least eighteensixteen (168) years of age., unless such person is participating as part of a school work transition program, in which case such person must be at least sixteen (16) years of age. (3-14-07)

03. **Certified Extended Employment Services (EES) Provider**. A community rehabilitation program services provider,provider sometimes referred to in these rules as a provider, that has been certifiedapproved by EESIDVR program to provide eExtended eEmployment sServices. (3-14-07)

04. **Extended Employment Services**. Long term maintenance services that assist customerClients in maintaining employment, or in gaining employment skills in preparation for community employment, or which provide assistance to adult customerClients with disabilities within an industryial/business community setting or a community rehabilitation program, intended to maintain paid employment. Such services include individual supported employment, group community-based non-integrated supported employment, and work services. (3-14-07)

05. **Individual Program Plan**. The plan of EESExtended Employment Services to be provided to individual customerClients. (3-14-07)

06. **IDVR**. The Idaho Division of Vocational Rehabilitation, a state agency under the Idaho State Board of Education, with administrative oversight of the EESExtended Employment Services pProgram. (3-14-07)

07. **RSAS**. Rehabilitation Services Accreditation Systems, a national accrediting body of vocational services providers. The internet website for RSAS is http://www.rsasnet.org. (3-14-07)

011. -- 099. **(RESERVED)**

100. **PROGRAM YEAR.CERTIFICATION OF PROVIDERS.**

01. **Certification Required**. A provider must apply for and receive certification from IDVR, as provided herein, to provide Extended Employment Services to Clients. Such certification shall be for only the Extended Employment Services Program region in which such provider intends to provide services, and for which approval is granted by IDVR. (3-14-07)

012. **Program YearTime and Application Submission Dateline**. For purposes of these rules, the EESExtended Employment Services pProgram fiscal year is July 1 June 1 of a given year through June 30May 31 of the next succeeding year. An An EES Provider Agreement application for certification for a fiscal year must be submitted on or before the first business day of MayApril preceding the fiscal year for which approvalcertification is sought.
A written decision on certification status in regard to such application will be issued by IDVR on or before the first business day of May preceding such fiscal year. If approved by IDVR, certification status for a provider becomes effective on June 1, the first day of such fiscal year. An application that is denied may be reconsidered during the course of a fiscal year if there have been significant developments in a region that require IDVR to add a new or additional provider after June 1. In such event, IDVR will give preference to denied applications based on date of application. (3-14-07)

03. **Criteria**. IDVR will determine to grant or deny certification based on the following criteria: (3-14-07)

a. The provider must be accredited by CARF or RSAS; (3-14-07)

b. The provider must meet and maintain all the requirements for provider qualifications, specified in

~~Section 300 of these rules; (3-14-07)~~

~~**04. Grandfather Provision for Current Providers.** Upon the effective date of adoption of these rules, providers that have been paid by IDVR for Extended Employment Services that were provided to Clients during the month of May, 2006, and which comply in all respects with Section 300 of these rules, shall be grandfathered and deemed to be certified to provide Extended Employment Services in the region(s) in which they have provided services during such month. (3-14-07)~~

~~**05. Duration.** Once certified, an Extended Employment Service Provider (including a provider that is grandfathered under subsection 100.04.05 of these rules) retains certified status unless or until the certification is terminated or revoked by IDVR. (3-14-07)~~

101. -- 199. (RESERVED)

200. EXTENDED EMPLOYMENT SERVICES PROVIDER AGREEMENT.

01. Standard Form. Prior to providing ~~Extended Employment S~~services, a ~~Certified Extended Employment Services P~~provider shall enter into an annual EES~~Extended Employment Services~~ Provider Agreement with EES~~IDVR~~ program which will specify the terms and conditions of the approval~~appointment~~. Such agreement shall be on a standard form approved by ~~IDVR,~~ the EES program after consultation with the~~Certified~~ EES~~Extended Employment Services~~ p~~P~~rovider~~s~~s. Such EES Provider A~~a~~greement shall detail the provider requirements, services, scope of work, other special provisions, and fees. EES program will make the EES Provider Agreement available the first business day of April.

Approval to provide EES will be provided by EES program on or before the first business day of June preceding such fiscal year. If approved by EES program, a provider is eligible to deliver EES effective July 1, the first day of such fiscal year. An agreement that is denied may be reconsidered during the course of a fiscal year. The EES program has the discretion to add a new or additional providers after July 1 if there have been significant developments in a region that justify the need for new or additional providers. In such event, EES program will give preference to denied applications based on date of application. (3-14-07)

02. Annual Agreement. This agreement must be signed prior to the beginning of the EES~~Extended Employment Services~~ fiscal year by an authorized representative of the ~~Certified Extended Employment Services P~~provider and the IDVR ~~s~~State A~~a~~dministrator or a designee. (3-14-07)

03. Agreement ~~Subject to~~ Revision. Th~~e~~is agreement shall be entered into annually, and is subject to revision, as may be required by the EES program~~IDVR~~. EES program will provide providers notification of any changes to the agreement, with as much notification as possible. (3-14-07)

201. -- 299. (RESERVED)

300. PROVIDER QUALIFICATIONS.
An approved EES~~Certified Extended Employment Services~~ p~~P~~rovider shall meet all of the following requirements: (3-14-07)

01. A new provider must have a minimum of three (3) full years of experience working with customers who are receiving Medicaid Waiver and/or have worked with IDVR customers in employment services.

02~~1~~. Accreditation. Receive and maintain accreditation by CARF or RSAS. (3-14-07)

03~~2~~. All Staff Will:~~. Assure that all its employees and subcontractors hired after August 10, 2006 who are providing Extended Employment Services:~~ (3-14-07)

a. Satisfactorily complete a criminal history background check, to be obtained by the provider; (3-14-07)

b. Are not less than eighteen (18) years of age and, if less than twenty-one (21) years of age, have not less than six (6) months experience with people with disabilities; (3-14-07)

c. Demonstrate the ability to deliver services as specified in the Individual Program Plan for each customer~~Client~~; and (3-14-07)

d. Document completion of not less than forty (40) hours of training directly related to vocational support for people with disabilities. Training must be documented no later than six (6) months from the date of hire and include all of the following topics: (3-14-07)

i. Behavior technology, especially positive behavioral support; (3-14-07)

ii. Instructional techniques; (3-14-07)

iii. Strategies for dealing with aberrant or maladaptive behavior; (3-14-07)

iv. Integration/normalization; (3-14-07)

v. Functional impact of disabilities, particularly developmental disabilities and mental illness; ~~and~~ (3-14-07)

vi. Strategies for remediation and accommodation:~~.~~ (3-14-07)

vii. Ethics and confidentiality;

viii. The development and use of measureable objectives; and

ix. Overview of assistive technology.

301. -- 399. (RESERVED)

400. TERMINATION OR REVOCATION OF PROVIDER STATUS.
EES program ~~IDVR~~ may terminate or revoke the approval ~~the certified s~~status ~~of,~~ and discontinue authorizing or purchasing services from~~,~~ a ~~Certified Extended Employment Services P~~provider~~s~~ for actions including, but not limited to the following: (3-14-07)

01. Loss of Accreditation. Failure to maintain accreditation from either CARF or RSAS; (3-14-07)

02. Out of Compliance. The provider is determined by EES~~IDVR~~ program to be out of compliance with these rules, or the EES~~Extended Employment Services~~ Provider Agreement. (3-14-07)

03. Business Practices. The provider is determined to be engaged in business practices that are inconsistent with sound fiscal practice; or (3-14-07)

04. ~~Client~~Customer Rights. The provider is determined to be in violation of customer~~Client~~ rights. (3-14-07)

401. -- 499. (RESERVED)

500. EXTENDED EMPLOYMENT SERVICES ~~CLIENT~~CUSTOMER~~S~~ ~~–~~ REFERRAL, ~~AND~~ ELIGIBILITY, AND CASE CLOSURE.

01. Referral. Each applicant to be a customer~~Client~~ for EES~~Extended Employment Services~~ under these rules will be referred by a Vocational Rehabilitation Counselor, employed by IDVR, who will provide the applicant with information on the services available from ~~Certified~~ EES~~Extended Employment Services~~ p~~P~~roviders. (3-14-07)

02. Eligibility. EES~~Extended Employment Services~~ program~~Specialists at IDVR~~ will assess the eligibility of each applicant for services~~Extended Eligibility Services.~~. Applicants who are eligible for and have access to other public funding sources for long term support services are not eligible for EES services. Eligible applicants must have a disability that falls into one of four categories described below, and such disability must constitute a barrier to such person maintaining paid employment without long term vocational support: (3-14-07)

a. Developmental Disabilities. Pursuant to Section 66-402, Idaho Code, a chronic disability of a person which appears before the age of twenty-two (22) years; and (3-14-07)

i. Is attributable to impairment, such as intellectual disability~~mental retardation~~, cerebral palsy, epilepsy, autism, or other condition found to be closely related to or similar to one of those impairments that requires similar treatment or services, or is attributable to dyslexia resulting from such impairments; (3-14-07)

ii. Results in substantial functional limitations in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and (3-14-07)

iii. Reflects the need for a combination and sequence of special, interdisciplinary or generic care, treatment or other services which are of life-long or extended duration and individually planned and coordinated. (3-14-07)

b. Mental Illness. A person has been assessed by a qualified professional and been diagnosed under DSM-IV or later editions with schizophrenia, schizoaffective disorder, major affective disorder, delusional disorder or a borderline personality disorder, in which ~~and~~ this psychiatric disorder must be of sufficient severity to cause a disturbance in role performance or coping skills in at least two of these areas on either a continuous or an intermittent (at least once per year) basis: vocational/academic, financial, social/interpersonal, family, basic living skills, housing, community, or health. (3-14-07)

c. Specific Learning Disability. A disorder in one or more of the psychological processes involved in understanding, perceiving, or using language or concepts (spoken or written). A disorder which may manifest itself in problems related to speaking, reading, spelling, or mathematical calculations (or to a lesser extent, listening, thinking, or writing), and seriously limit two or more functional capacities (mobility, communication, self-care, self-direction, work tolerance or work skills). (3-14-07)

d. Traumatic Brain Injury. A traumatically acquired insult to the brain that may cause physical, intellectual, emotional, social, and vocational changes. A closed head injury may be caused by a rapid acceleration/deceleration, as in a motor vehicle accident. An open head injury is visible insult and may be the result of an accident, gun-shot wound, or other physical injuries. Immediate effects are loss of consciousness, loss of memory, or change in vision, strength, coordination, or sensory function. Anatomical abnormalities may be present, such as cerebral hemorrhage or skull fracture. Long term effects may include physical, cognitive, and psycho-social-behavioral-emotional impairments. (3-14-07)

03. Case Closure. Cases will be closed from the EES program for the following reasons and will include documentation in the case record which supports such reason:

i. Unable to locate or contact;
ii. Customer is utilizing Medicaid Waiver services for CSE;

iii. Disability too significant to benefit from services;
iv. Customer is non-compliant or has not followed through with EES services;
v. Customer retired from employment;
vi. No longer interested in employment or receiving EES services;
vii. No longer needs EES services;
viii. Moved out of state;
ix. All other reasons.

501. -- 599. (RESERVED)

600. COVERED SERVICES.
The EES~~Extended Employment Services~~ that may be provided to customer~~Client~~s by ~~Certified Extended Employment Services P~~providers are described below. EES~~These services~~ typically follow the completion of other vocational rehabilitation services, such as vocational evaluation, job site development, and initial training at the job site. (3-14-07)

01. Individual Community Supported Employment. Self-~~-~~employment or paid employment which is: (3-14-07)

a. For a customer~~Client~~ paid not less than minimum wage and who, because of his or her disability(ies), needs ongoing support to maintain that employment; (3-14-07)

b. Conducted in a community or industry setting where persons without known paid work supports are employed; and (3-14-07)

c. Supported by authorized activities needed to sustain paid work by persons with disabilities, including but not limited to supervision, training, and transportation. (3-14-07)

02. Group Community-Based Non-Integrated Supported Employment. Self-~~-~~employment or paid employment which is: (3-14-07)

a. For a group of no more than eight (8) customer~~Client~~s who are paid not less than minimum wage and who, because of their disability(ies), need ongoing support to maintain that employment; (3-14-07)

b. Conducted in a variety of community and industry settings where the customer~~Client~~s have opportunities to interact with co-workers or others without known paid work supports at least to the extent that those opportunities typically exist in that work setting; (3-14-07)

c. Supported by training and supervision needed to maintain that employment; and (3-14-07)

d. Not conducted in the work services area of an EES~~Extended Employment Services~~ p~~P~~rovider. (3-14-07)

03. Work Services. The work services program utilizes individual and group work to assist individuals in understanding the value and demands of work, enhancing positive work attitudes, and developing functional capacities that will enhance the ability to achieve and maintain an employment outcome. Limited non-paid work related activities and transportation may be billed only when authorized on an Individual Program Plan. Work services are typically conducted on ~~Certified~~ EES~~Extended Employment Services~~ p~~P~~rovider premises. (3-14-07)

601. -- 699. (RESERVED)

700. EXCLUDED SERVICES.
Any other services provided by IDVR that are not described in subsection 600 of these rules shall not constitute

Extended Employment S~~S~~ervices. Such excluded services include, but are not limited to, the following: (3-14-07)

01. Vocational Evaluation; (3-14-07)

02. Work Adjustment; (3-14-07)

03. Job Site Development; or (3-14-07)

04. Initial Training at the Job Site. (3-14-07)

701. -- 799. (RESERVED)

800. SERVICE PROVISION.

01. Services on Individual Program Plan. EES~~Extended Employment Services~~ for each individual ~~Client~~customer must be based on the Individual Program Plan developed for such c~~Client~~ustomer. (3-14-07)

02. Development of Individual Program Plan. Those involved in developing the Individual Program Plan must include, but are not limited to, the following: (3-14-07)

a. The customer~~Client~~. Efforts must be made to maximize the customer~~Client~~'s involvement in the planning process by providing him or her with information and education regarding rights, and available options; and (3-14-07)

b. The customer~~Client~~'s legal guardian, if one has been appointed by the court; and (3-14-07)

c. ~~Certified~~ EES~~Extended Employment Services~~ p~~P~~rovider program staff, responsible for the implementation of the Individual Program Plan. (3-14-07)

03. Submission of the Individual Program Plan. The ~~Certified~~ EES~~Extended Employment Services~~ p~~P~~rovider must submit the Individual Program Plan to the ~~an~~ EES~~Extended Employment Services~~ p~~P~~rogram ~~Specialist~~ using the standard format provided or approved by the~~IDVR~~ EES program. The EES~~Extended Employment Services~~ p~~P~~rogram ~~Specialist~~ will either accept the Individual Program Plan as submitted, or may require revisions to the Individual Program Plan before acceptance. (3-14-07)

04. Timeline for Submission. The Individual Program Plan must be submitted to ~~an~~ EES~~Extended Employment Services~~ p~~P~~rogram ~~Specialist~~ within thirty (30) days from the beginning of the provision of EES~~Extended Employment Services~~. No payment will be made for EES~~Extended Employment Services~~ without receipt of the Individual Program Plan covering those Extended Employment Services. (3-14-07)

05. Revision. The ~~certified~~ EES~~Extended Employment Services~~ p~~P~~rovider must submit an updated Individual Program Plan for each customer~~Client~~ to the~~an~~ EES~~Extended Employment Services~~ p~~P~~rogram ~~Specialist~~ at least annually.

(3-14-07)

06. Progress Reports. The ~~Certified~~ EES~~Extended Employment Services~~ p~~P~~rovider must submit a progress report on each customer~~Client~~ to the~~an~~ EES~~Extended Employment Services~~ ~~P~~program ~~Specialist~~ at six (6) month intervals. A standardized format provided or approved by ~~IDVR~~ the EES program must be used. (3-14-07)

801. RECORDS.

01. ~~Client~~Customer Files. ~~Certified~~ EES~~Extended Employment Services~~ p~~P~~roviders shall maintain individual customer~~Client~~ files, which must include the following: (3-14-07)

a. Referral information; (3-14-07)

b. Eligibility; (3-14-07)

c. Authorization for services; (3-14-07)

d. Contact information; (3-14-07)

e. Legal guardianship information; (3-14-07)

f. Individual Program Plan; (3-14-07)

g. Progress Reports; (3-14-07)

h. Documentation of service; (3-14-07)

i. Satisfaction measures; (3-14-07)

j. Releases of information; and (3-14-07)

k. Documentation that updates to customer~~Client~~ information ~~were~~was provided to IDVR. (3-14-07)

02. Storage. Files must be maintained for five (5) years from the date of service~~discharge~~ of the customer~~Client~~ to whom the file pertains. (3-14-07)

802. -- 899. (RESERVED)

900. PAYMENT FOR SERVICES.

01. Fee for Service. The IDVR State Administrator shall set the fees for covered services, after discussion with ~~Certified~~ EES~~Extended Employment Services~~ p~~P~~roviders. Such fees shall be set forth in the annual EES~~Extended Employment Services~~ Provider Agreement. Such fees shall be reviewed annually, and may be adjusted by the IDVR State Administrator~~IDVR~~ to take effect at the beginning of the fiscal year. (3-14-07)

02. Pre-Authorization. All EES~~Extended Employment Services~~ must be pre-authorized by the ~~an~~ EES~~Extended Employment Services~~ p~~P~~rogram ~~specialist,~~ and shall be set forth in the Individual Program Plan for each customer~~Client~~.

(3-14-07)

03. Billing Procedures. (3-14-07)

a. ~~Certified~~ EES~~Extended Employment Services~~ p~~P~~roviders must submit a monthly billing statement for each customer~~Client~~ served, in a format approved by an EES~~Extended Employment Services~~ p~~P~~rogram ~~Specialist~~ and within timelines set forth in the annual EES~~Employment Services~~ Provider Agreement. (3-14-07)

b. Bills may only be submitted for EES~~Extended Employment Services~~ that have been identified and accepted by the~~IDVR~~ EES program, as stipulated~~set out~~ in an Individual Program Plan. (3-14-07)

c. All bills submitted by ~~Certified Extended Employment Services~~ p~~P~~roviders are subject to prepayment and post payment review. Documentation sufficient to support each payment item shall be available for review, and must be maintained for five (5) years from the date of service. The ~~Certified Extended Employment Services P~~provider~~s~~ must submit copies of the documentation regarding the provision of such services upon written request from an EES~~Extended Employment Services~~ program~~Specialist~~. (3-14-07)

04. Audits. EES program ~~IDVR~~ may perform audits of billing records and other documentation submitted by ~~Certified Extended Employment Services P~~providers in order to verify the accuracy of such records.(3-14-07)

05. Denial/Revocation of Payment. ~~IDVR~~ EES program may deny payment, or seek reimbursement or set-off for payments previously made, if the provider is not in compliance with these rules, the signed Employment Services Provider Agreement, or if the provider does not provide the services as set forth in a customer~~Client~~'s Individual Program Plan. (3-14-07)

901. -- 999. (RESERVED)

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CAREER TECHNICAL EDUCATION

SUBJECT

Proposed Rule IDAPA 55.01.03, Career Technical Education Secondary Programs – Career Technical Schools

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-2202 through 33-2212, Idaho Code
Idaho Administrative code, IDAPA 55.01.03, Rules of Career Technical Schools

BACKGROUND/DISCUSSION

Career Technical Schools are designed to provide high end career and technical programs at the secondary level. These programs help prepare students for high-skill and in-demand careers; schools are closely linked to postsecondary education and business and industry.

In order to be approved as a school, Career Technical Schools are required to meet a number of criteria, including specific attendance zone requirements, the offering of advanced opportunities for enrolled students, and be located at a separate site than a non-Career Technical Secondary or be approved as a cooperative service agency.

Operationally, Career Technical Schools are required to meet specific programmatic requirements, including programs that are based on industry standards, demonstrate a responsiveness to labor market skills, and promote the development of leadership, interpersonal and other workplace skills through career and technical student organizations.

IMPACT

The impact of these changes will align Administrative Code to existing practices, will help ensure consistency in how funds for career technical schools are calculated, and will update the language regarding advanced opportunities to align with the language in Board Policy Section III.Y.

ATTACHMENTS

Attachment 1 – Proposed Rule changes to IDAPA 55.01.03 Page 3

STAFF COMMENTS AND RECOMMENDATIONS

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

Staff recommends approval.

BOARD ACTION

I move to approve the changes to proposed rule IDAPA 55.01.03 as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 55
TITLE 01
CHAPTER 03

55.01.03 - RULES OF CAREER TECHNICAL SCHOOLS

000. LEGAL AUTHORITY.
The State Board of Education is designated as the State Board for Career Technical Education and is responsible to execute the laws of the state of Idaho relative to Career Technical education, administer state and federal funds, and through the administrator of the State Division of Career Technical Education, coordinate all efforts in Career Technical education (Section 33-2202 through 33-2212, Idaho Code). (3-30-01)

001. TITLE AND SCOPE.

01. Title. The rules shall be cited as IDAPA 55.01.03, "Rules of Career Technical Schools." (3-30-01)

02. Scope. These rules serve the administration of Career Technical Education in Idaho and define the duties of the State Division of Career Technical Education. (3-30-01)

002. WRITTEN INTERPRETATIONS.
Written interpretations of these rules, if any, are on file at the office of the State Division of Career Technical Education. (3-30-01)

003. ADMINISTRATIVE APPEALS.
All appeals under these rules shall be conducted pursuant to the procedures set forth by the State Board of Career Technical Education. (3-30-01)

004. (RESERVED)

005. DEFINITIONS.

01. **Administrator**. An on-site school administrator, holding the appropriate career technical education administrator endorsement.

~~01~~02. Attendance Zones. For purposes of Section 33-1002G, Idaho Code, each high school is classified as an attendance zone. The attendance zone requirement can be met by having students enrolled in approved career technical school courses from at least two (2) high school zones within a district or at least two (2) high school zones in different districts participate in the career technical school. A minimum of fifteen percent (15%) of the total student body enrolled in an approved career technical school intermediate or capstone course must reside in attendance zones apart from the attendance zone of the majority of students. Cooperative Service Agencies must meet the fifteen percent (15%) attendance criteria on a program-by-program basis. (3-30-01)

0~~2~~3. ~~Dual Credit~~Advanced Opportunities. ~~Pursuant to~~Additional educational opportunities offered to students enrolled in career technical school programs, pursuant to state board of education governing policies and procedures. ~~Section 33-5109, Idaho Code, dual credit may be granted for Advanced Placement, College Level Examination Program, or Tech Prep class offerings that are approved through an accredited institution of higher education. This does not have to be a one (1) credit for one (1) credit articulation. Competencies from multiple classes can count toward postsecondary credit/credits.~~ (3-30-01)

~~03~~04. Field Experience. Paid or unpaid work experience such as business/industry internship, clinical experience, supervised occupational experience, job placement, school-based enterprise, or similar work experience setting. The field experience must be of sufficient duration and depth to add to the technical competencies of the student. (3-30-01)

~~04~~05. **Career Technical**Career Technical **Schools**. Schools designed to provide high-end, state-of-the-art technical programs that foster quality technical education at the secondary level. Programs and services are directly related to the preparation of high school students for employment in current or emerging occupations that require other than a baccalaureate or advanced degree. These schools are closely linked to postsecondary education, thereby avoiding redundancy and maintaining rigor. They are also closely linked to current business and industry standards to ensure relevance and quality. (3-30-01)

006. -- 099. (RESERVED)

100. STATEMENT OF PURPOSE.
The purpose of this rule is to clearly define general implementation criteria, the criteria for approval for funding, the added cost unit calculation, the procedure to follow in calculating average daily attendance (ADA), the process to follow for fund distribution, and program accountability for Idaho Career Technical Schools. (3-30-01)

101. CAREER TECHNICAL SCHOOL GENERAL APPROVAL CRITERIA.
For approval, applying districts/~~consortiums~~ Cooperative Service Agencies must meet at least four (4) of the five (5) criteria listed in Section 33-1002G, Idaho Code. Approval criteria: (3-30-01)

01. High School Attendance Zones. Two (2) or more high school attendance zones. (3-30-01)

02. ~~**Dual Credit**~~**Advanced Opportunities**. (3-30-01)

03. Field Experience. (3-30-01)

04. Funded as a Separate School. (3-30-01)

05. Separate Site or Cooperative Service Agency. Located at a separate site or approved by the State Board of Education as a cooperative service agency. (3-30-01)

102. CAREER TECHNICAL COMPONENT CRITERIA.

01. Program Criteria. Career Technical schools are intended to deliver high-end technical education programs that go beyond the scope of traditional Career Technical education. The lab should be appropriately designed for the type of program and the number of students enrolled. The program should have state-of-the-art equipment, current technology and strong links to business and industry. (3-30-01)

02. Career Technical School Program. Each program of a Career Technical school shall: (3-30-01)

a. Be based on industry standards that are measurable using a competency-based evaluation system. (3-30-01)

b. Demonstrate a responsiveness to students' needs and to labor market needs. (3-30-01)

c. Contain a sequence of instruction that follows a set of industry competencies. (3-30-01)

d. Reinforce basic and advanced academic skills. (3-30-01)

e. ~~Have at least one (1) dual credit technical course or be approved for postsecondary credit as part of a Tech Prep agreement.~~Meet the all of required standards defined through Technical Competency Credits, as outlined in State Board of Education Governing Policies and Procedures Section III.Y. and as aligned among participating postsecondary institutions. (3-30-01)

f. Promote access and equity for all students and school personnel. (3-30-01)

g. Incorporate active input from an appropriately qualified business/industry technical advisory committee. (3-30-01)

h. Ensure that all programs implement instructional delivery methods that use current teaching and industry technologies. (3-30-01)

i. Employ instructors who hold Career Technical certification to teach the occupation and who also hold a related industry-based credential or equivalent as approved by the Division of Career Technical Education. (3-30-01)

j. Promote the development of leadership, interpersonal and other cross-functional workplace skills through Career Technical student organizations ~~or other appropriate means~~. (3-30-01)

k. Ensure that the instructional setting is appropriate and effective regarding: (3-30-01)

i. Student-teacher ratios. (3-30-01)

ii. Number of lab work stations. (3-30-01)

iii. Number of quality work-experience sites. (3-30-01)

iv. Safety. (3-30-01)

v. Work-experience agreements. (3-30-01)

vi. Facility maintenance. (3-30-01)

103. APPLICATION PROCESS.
Applications for Career Technical school funding must be received by the Division of Career Technical Education on or before ~~the first Friday in July~~ April 15 for the following fiscal year. In the case of application renewals, failure to meet the application deadline will result in a 25 percent reduction in CTS funding. In the event of a new school application, failure to meet the application deadline will result in a denial of the application. (3-30-01)

104. CAREER TECHNICAL SCHOOL ADDED COST UNIT FUNDING.
Section 33-1002G, Idaho Code, provides school districts an opportunity to establish Career Technical schools that qualify for funding appropriated for the specific purpose of supporting the added cost of Career Technical schools. The funds are appropriated to the State Board for Career Technical Education to be expended by the Division of Career Technical Education. Funding is based on the average daily attendance (ADA) of students enrolled in the career technical school. (3-30-01)

105. CAREER TECHNICAL SCHOOL AVERAGE DAILY ATTENDANCE.
The Division of Career Technical Education shall use the enrollment reports sent to the State Department of Education to calculate Career Technical school average daily attendance (ADA) in accordance with applicable laws and rules (Section 33-1002, Idaho Code). Students in attendance at a qualifying Career Technical school shall be reported as aggregate hours and/or aggregate attendance. The aggregate hours and aggregate attendance will be combined to calculate the ADA for the career technical school. (3-30-01)

01. Aggregate Hours. The daily hours of all students enrolled in career technical school approved intermediate and capstone courses who attend less than two and one-half (2.5) hours per day shall be added together and reported as weekly aggregate hours. (3-30-01)

02. Aggregate Attendance. Students enrolled in career technical school approved intermediate and capstone courses who attend ~~attending~~ more than two and one-half (2.5) hours per day are to be reported as aggregate attendance. (3-30-01)

106. CAREER TECHNICAL SCHOOL ADDED COST UNIT CALCULATION.
The Division of Career Technical Education shall use the Career Technical school average daily attendance (ADA) as the basis for added cost unit funding. (3-30-01)

01. State Support Unit Value. The added cost support unit value shall be based on state salary-based apportionment, state paid employee benefits (less state unemployment), base support, and safe environment distribution factors found in the Public School Support Program. (3-30-01)

02. Support Unit Divisor. Added cost support units for Career Technical schools shall be calculated by using the secondary support unit attendance divisor of eighteen and one-half (18.5) as shown in Section 33-1002(6), Idaho Code. (3-30-01)

03. Added Cost Support Factor. The added cost support factor for Career Technical schools shall be calculated by multiplying point thirty-three (.33) times the added cost support units generated in the Career Technical school. (3-30-01)

04. Estimated Reimbursement. The estimated reimbursement shall be calculated by multiplying the state support unit value by the added cost support factor. (3-30-01)

107. CAREER TECHNICAL SCHOOL ADDED COST UNIT FUND DISTRIBUTION.
Once the Career Technical appropriation is made, the per unit value will be determined by dividing the total units into the appropriation. (3-30-01)

01. Payment Distribution. Added cost support unit funds shall be distributed by the Division of Career Technical Education in two (2) payments: (3-30-01)

a. Seventy percent (70%) of the total estimated funds for which a Career Technical school is eligible shall be distributed each year following receipt of first-period enrollment data from the Department of Education. (3-30-01)

b. Based on actual support units generated during the year, the balance shall be distributed each year by July 15th. (3-30-01)

02. Reduced Funding. In the event that the legislature does not appropriate enough funds to cover at least ninety percent (90%) of the calculated per unit value, preference will be given to existing schools and funding will not be reduced to less than ninety percent (90%) of the previous year's level. (3-30-01)

03. Adjusted Distribution. In the event that program growth exceeds the amount of the requested appropriation on a given year, the distribution of funds to each Career Technical school will be based on the projected ADA from the Annual Application or the actual ADA from the enrollment reports, whichever is smallest. (3-30-01)

108. ACCOUNTABILITY.

01. Assessment Process. The Division of Career Technical Education shall develop an assessment process that includes measures and standards for Career Technical school programs. (3-30-01)

02. Administrator Responsibility. The administrator of each career technical school shall be responsible to provide onsite administration of the career technical school and submit all required career technical school documentation, as outlined by the Division of Career Technical Education.~~a complete report for each program on the measures and standards at the end of each fiscal year.~~ (3-30-01)

03. Accreditation. Each Career Technical school shall be accredited following Department of

Education guidelines. This accreditation shall be appropriate for the individual type of Career Technical school that is developed. (3-30-01)

04. **School Improvement Plan**. The administration, faculty and staff at each Career Technical school shall be responsible to develop and implement a local school improvement plan based on the assessment process. (3-30-01)

109. -- 999. **(RESERVED)**

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