

**STATE DEPARTMENT OF EDUCATION  
APRIL 20, 2017**

---

<b>TAB</b>	<b>DESCRIPTION</b>	<b>ACTION</b>
<b>1</b>	<b>SUPERINTENDENT'S UPDATE</b>	Information Item
<b>2</b>	<b>TEMPORARY/PROPOSED RULE – IDAPA 08.02.03.004 – IDAHO ENGLISH LANGUAGE PROFICIENCY ASSESSMENT (ELPA) ACHIEVEMENT STANDARDS</b>	Motion to Approve
<b>3</b>	<b>EMERGENCY PROVISIONAL CERTIFICATES</b>	Motion to Approve
<b>4</b>	<b>CLARK COUNTY SCHOOL DISTRICT NO. 161 – TUITION WAIVER</b>	Motion to Approve
<b>5</b>	<b>PROFESSIONAL STANDARDS COMMISSION APPOINTMENTS</b>	Motion to Approve

**THIS PAGE INTENTIONALLY LEFT BLANK**

**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

**SUBJECT**

Superintendent of Public Instruction update to the State Board of Education

**BACKGROUND/DISCUSSION**

Superintendent of Public Instruction, Sherri Ybarra, will provide updates on the State Department of Education.

**BOARD ACTION**

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

**THIS PAGE INTENTIONALLY LEFT BLANK**

**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

**SUBJECT**

Temporary and Proposed Rule – IDAPA 08.02.03.004, Rules Governing Thoroughness, Incorporation by Reference – Idaho English Language Proficiency Assessment Achievement Standards

**REFERENCE**

November 2009	Board adopted The Idaho English Language Assessment (IELA) Achievement Standards and incorporated them into a temporary rule by reference.
August 2010	Board approved a proposed rule incorporating the IELA Achievement standards approved in November 2009 by reference.
November 2010	Board approved pending rule incorporating the IELA Achievement standards approved in November 2009 by reference.
August 2015	Board approved pending rule amendments to IDAPA 08.02.03 including removal of outdated IELA Achievement Standards Adopted by the Board November 11, 2009.
November 2015	Board approved pending rule Docket No. 08-0203-1511 removing outdated IELA Achievement Standards adopted by the Board November 11, 2009. (Rulemaking rejected by 2016 Legislature)
August 2016	Board approved proposed rule changes to the state accountability system (IDAPA 08.02.03), including incorporation of changes approved in 2015 removing of outdated reference to the November 2009 IELA Achievement Standards.
November 2016	Board approved pending rules changes to the state accountability system including incorporation of changes approved in 2015 removing of outdated reference to the November 2009 IELA Achievement Standards.

**APPLICABLE STATUTE, RULE, OR POLICY**

Sections 33-105, 33-1612, and 33-1617, Idaho Code  
IDAPA 08.02.03.004, Rules Governing Thoroughness

**BACKGROUND/DISCUSSION**

This temporary and proposed rule will address the Idaho English Language Assessment (IELA) Achievement Standards that will be removed from code upon sine die of the 2017 Legislature. New English Language Proficiency Assessment (ELPA) Achievement Standards need to be added in place of the old standards so schools have accurate identification of a student's cut scores and corresponding six (6) achievement levels. Additionally, IDAPA 08.02.03.112.05.b refers to the Idaho English Language Proficiency Assessment definitions for levels of language

**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

proficiency and will no longer be referencing the correct incorporated by reference document when the standards are removed. The new standards will take place of the old standards and allow this reference in code to point to the correct incorporated by reference document.

**IMPACT**

Idaho is required to assess our identified English Learner students in English language proficiency, annually, under the Elementary Secondary Education Act (ESEA), reauthorized under the Every Student Succeeds Act (ESSA). If we do not test English Learner students, we will not meet federal requirements. Additionally, the new state accountability framework uses the state English language assessment for evaluating schools and school districts as part of the State Accountability System (IDAPA 08.02.03.112).

**ATTACHMENTS**

Attachment 1 – Temporary and Proposed Rule change to IDAPA 08.02.03.004	Page 5
Attachment 2 – WIDA ACCESS 2.0 Assessment Standards (Cut Scores) and Proficiency Levels	Page 7
Attachment 3 – WIDA Performance Definitions	Page 11

**STAFF COMMENTS AND RECOMMENDATIONS**

The Board last approved English Language Assessment Achievement Standards in 2009. Since that time these achievement standards have become outdated. In 2015 the Board approved the removal of the 2009 Achievement Standards from administrative rule. The 2015 Pending Rule was not approved by the legislature due to concern over other changes to IDAPA 08.02.03 that were included in the docket. During the rule making process in 2016 the Department of Education requested the removal of the outdated IELA Achievement Standards be included with other changes to the state assessment and accountability system that were being promulgated that year. The Board approved these changes along with the creation of a new school accountability framework. The 2017 Legislature accepted all of the changes and they became effective at the close of the 2017 legislative session. The Department is now bringing forward updated achievement standards and updating the name of the assessment.

Approved proposed rules have a 21 day public comment period, following publication in the Administrative Bulletin, 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 are forwarded to the legislature for consideration during the next session and become effective at the end of the legislative session in which they are reviewed, if they are not rejected by the legislature.

**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

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; is to come into compliance with deadlines in amendments to governing law or federal programs; or is conferring a benefit. Adoption of the updated achievement standards and approval of the temporary and proposed rule will allow for accurate scoring of the Idaho English Proficiency Assessment and allow for the identification of students who need additional assistance. The temporary rule meets the requirements of conferring a benefit.

Staff recommends approval.

**BOARD ACTION**

I move to approve The WIDA ACCESS 2.0 Achievement Standards as submitted in Attachment 2.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

**AND**

I move to approve the Temporary and Proposed Rule amendment to IDAPA 08.02.03.004, Rules Governing Thoroughness, Incorporation by Reference, as submitted in Attachment 1.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

THIS PAGE INTENTIONALLY LEFT BLANK



**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

**SUBJECT**

Emergency Provisional Certificates

**REFERENCE**

December 2016	Board approved six (6) provisional certificates (Jerome SD – 3, Madison SD – 1, Mountain Home SD – 1, West Jefferson SD – 1)
February 2017	Board approved seventeen (17) provisional certificates (Bear Lake SD – 2, Blaine County SD – 1, Cambridge SD – 2, Challis Joint SD – 2, Council SD – 1, Grace Joint SD – 1, Boise SD – 2, Jerome Joint SD – 1, West Ada SD – 1, Marsh Valley SD – 1, Sage International – 1, St. Maries SD – 1, Twin Falls SD – 1)

**APPLICABLE STATUTE, RULE, OR POLICY**

Sections 33-1201 and 33-1203, Idaho Code

**BACKGROUND/DISCUSSION**

Three (3) emergency provisional applications were received by the State Department of Education from the school districts listed below. Emergency provisional applications allow a district or charter school to request one-year emergency certification for a candidate who does not hold a current Idaho certificate, but who has the strong content background and some educational pedagogy, to fill an area of need that requires certification/endorsement. While the candidate is under emergency provisional certification, no financial penalties will be assessed to the hiring district.

**Challis Joint School District #181**

**Applicant Name:** Robb, Brian

**Content & Grade Range:** All Subjects K/8

**Educational Level:** BA, History, 2013

**Declared Emergency:** August 9, 2016, Challis Joint School District Board of Trustees declared an area of need exists for the 2016-2017 school year.

**Summary of Recruitment Efforts:** Mr. Robb was employed 2015-2016 on an Alternative Authorization – Content Specialist. Mr. Robb has decided to not pursue certification and no longer plans to teach after this school year. District requests a provisional certificate for 2016-2017.

**Preston School District #201**

**Applicant Name:** Jamieson, Roxanne

**Content & Grade Range:** All Subjects K/8

**Educational Level:** BA, Interdisciplinary Studies (K-8), 2013

**Declared Emergency:** February 15, 2017, Preston School District Board of Trustees declared an area of need exists for the 2016-2017 school year.

**Summary of Recruitment Efforts:** Ms. Jamieson had an Idaho Interim Certificate valid from July 2013 until August 2016 based on an out of state certificate. During

**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

that time, she did not complete the conditions on the Interim certificate (MTI and ICLC). In addition, she was employed by Preston School District for 2015-2016. Her Interim Certificate expired, and she is currently signed up for courses that will fulfill interim requirements. District requests a provisional certificate for 2016-2017 to provide additional time for Ms. Jamieson to meet conditions.

**Jerome Joint School District #261**

**Applicant Name:** Hopkins, Eric

**Content & Grade Range:** Mathematics 6/12

**Educational Level:** BS Ed., Education, 2015

**Declared Emergency:** November 22, 2016, Jerome Joint School District Board of Trustees declared an area of need exists for the 2016-2017 school year.

**Summary of Recruitment Efforts:** District posted math position on July 11, 2016, in multiple job search sites. There were six applicants; two applicants had a teaching certificate. District felt Mr. Hopkins was the most qualified candidate. He is a certified teacher endorsed in Social Science, but not mathematics. District requests a provisional certificate for 2016-2017.

**IMPACT**

If the emergency provisional certificates are not approved, the school districts will have no certificated staff to serve in these classrooms. Section 33-1201, Idaho Code requires every person who is employed to serve in an elementary or secondary school in the capacity of a teacher to “have and to hold a certificate issued under authority of the state board of education.”

**ATTACHMENTS**

Attachment 1 – Application Packet for Emergency Provisional Certificate Page 5

**STAFF COMMENTS AND RECOMMENDATIONS**

Section 33-1203, Idaho Code, except in occupational fields, prohibits the Board from authorizing standard certificates to individuals who have less than four (4) years of accredited college training except in emergency situations. When an emergency is declared Section 33-1203, Idaho Code authorizes the Board to grant one-year provisional certificates based on not less than two (2) years of college training.

The Department receives applications from the school districts for requests for provisional certifications, Department staff work with the school districts to assure the applications are complete. Requests for one-year provisional certificates are then reviewed by the Professional Standards Commission, those that are complete and meet the minimum requirements are then brought forward by the Department for consideration by the Board.

**STATE DEPARTMENT OF EDUCATION  
APRIL 20, 2017**

---

**BOARD ACTION**

I move to approve one-year emergency provisional certificates for Brian Robb, Roxanne Jamieson, and Eric Hopkins to teach the content area and grade ranges at the specified school districts as provided herein.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

**OR**

I move to approve a one-year emergency provisional certificate for Brian Robb to teach all subjects kindergarten through grade eight (8) in the Challis Joint School District #181.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

I move to approve a one-year emergency provisional certificate for Roxanne Jamieson to teach all subjects kindergarten through grade eight (8) in the Preston School District #201.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

I move to approve a one-year emergency provisional certificate for Eric Hopkins to teach Mathematics grades six (6) through twelve (12) in the Jerome Joint School District #261.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

THIS PAGE INTENTIONALLY LEFT BLANK

**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

**SUBJECT**

Clark County School District No. 161 Tuition Waiver

**REFERENCE**

February 16, 2012

M/S (Goesling/Soltman): To approve the request by Weiser School District No. 431 to waive a portion of the tuition rate charge for each individual student attending Weiser High School from Annex School District in Oregon for the 2011-12, 2012-13, 2013-14 and 2014-15 school years, subject to annual review by the Weiser School District Board of Trustees.

**APPLICABLE STATUTE, RULE, OR POLICY**

Sections 33-1401 through 33-1405, Idaho Code

**BACKGROUND/DISCUSSION**

Clark County School District No. 161 is seeking a waiver of the tuition charge for the kindergarten-aged child of one of its elementary school teachers. The teacher resides in Monida, Montana, and commutes to Dubois, Idaho, to teach at Lindy Ross Elementary. The nearest school in Montana is in the opposite direction of her commute, and there is no bus route for her child to ride to school.

The financial and logistical burden of schooling the child in Montana may result in the teacher's inability to continue to work in the district. Given the number and quality of applicants who apply for open positions in the district, it would be difficult, at best, to replace the teacher with one of equal quality.

Clark County School District is requesting the State Board of Education waive the tuition rate charge for the requested student for the duration of the teacher's employment in the school district. Pursuant to Idaho Code § 33-1405, the waiver may be requested for up to four (4) years, subject to annual review by the local board of trustees.

**IMPACT**

The tuition rate charge to be waived this year is \$5,256.00. The addition of one student increases the cost of supplies but has little effect on the other budget lines and expenditures. The student's parent will provide transportation.

The ability of the school district to retain an excellent teacher will positively impact the students of the school district.

**ATTACHMENTS**

Attachment 1 – Request for Waiver – Clark County School District	Page 3
Attachment 2 – Clark County School District Board Meeting Minutes, March 27, 2017	Page 5

**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

**STAFF COMMENTS AND RECOMMENDATIONS**

Section 33-1404, Idaho Code, authorizes school districts to accept out of district, including out-of-state, students when their tuition is paid by the student's home district. Section 33-1405, Idaho Code, establishes how the tuition rate is calculated and authorizes the State Board of Education to waive any portion of the tuition rate for out-of-state students. A waiver request must be made for each individual student and may be made for up to four (4) years.

**BOARD ACTION**

I move to approve the request by Clark County School District No. 431 to waive the tuition rate charge for the kindergarten-aged child of one of its teachers for the 2017-2018; 2018-2019; 2019-2020 and 2020-2021, school years, subject to annual review by the Clark County School District Board of Trustees.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

**PROFESSIONAL STANDARDS COMMISSION**

**SUBJECT**

Appointments to the Professional Standards Commission

**REFERENCE**

August 2015	Board approved one (1) appointment to the Professional Standards Commission.
April 2016	Board requested changes to the recommendation for appointments to the Professional Standards Commission to reflect a more diverse geographical representation of the state.
June 2016	Board approved six (6) appointments and two (2) re-appointments to the Professional Standards Commission.
August 2016	Board approved one (1) appointment to the Professional Standards Commission.

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-1252, Idaho Code

**BACKGROUND/DISCUSSION**

Section 33-1252, Idaho Code, sets forth criteria for membership on the Professional Standards Commission (PSC).

The PSC consists of eighteen (18) members: one (1) from the State Department of Education and one (1) from the Division of Career Technical Education. The remaining members shall be representative of the teaching profession of the state of Idaho, and not less than seven (7) members shall be certificated classroom teachers in the public school system and shall include at least one (1) teacher of exceptional children and at least one (1) teacher in pupil personnel services. 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, the Idaho Association of Special Education Administrators, the education departments of private colleges, and the colleges of letters and sciences of the institutions of higher education may submit nominees for one (1) position each. The community colleges and the education departments of the public institutions of higher education may submit nominees for two (2) positions.

Nominations were sought for the positions from the Idaho Education Association, Northwest Professional Educators, the Idaho Association of Special Education Administrators, the Idaho School Superintendents Association, and the Idaho Association of Colleges for Teacher Education. Resumes for interested individuals are attached.

**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

Secondary Classroom Teacher:  
Charlotte McKinney, Mountain View School District (reappointment)

Special Education Administrator:  
Clara Allred, Retired (reappointment)

School Superintendent:  
Marjean McConnell, Bonneville Joint School District (reappointment)

Public Higher Education:  
Jennifer Snow, Boise State University

**ATTACHMENTS**

Attachment 1 – Current Professional Standards Commission Members	Page 5
Attachment 2 – Resumé for Charlotte McKinney	Page 6
Attachment 3 – Resumé for Clara Allred	Page 7
Attachment 4 – Resumé for Marjean McConnell	Page 10
Attachment 5 – Resumé for Jennifer Snow	Page 13

**STAFF COMMENTS AND RECOMMENDATIONS**

At the June 2016 Board meeting it was determined that the Department would amend its practices when filling positions on the Professional Standards Commission. The new practice would be to reach out not only to the identified stakeholder groups, but to also reach out to other education community groups to allow individuals who are not connected to the standard communications the opportunity to apply or submit nominations for open positions. Specifically, it was discussed that there was a need for educators who work with our underserved populations to have the opportunity to serve on the community, including our American Indian educators. The Board's Indian Education Committee expressed an interest in nominating individual educators to the Commission if notified of openings.

**BOARD ACTION**

I move to reappoint Charlotte McKinney as a member of the Professional Standards Commission for a three-year term beginning July 1, 2017, and ending June 30, 2020, representing Secondary Classroom Teachers.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_

I move to reappoint Clara Allred as a member of the Professional Standards Commission for a three-year term beginning July 1, 2017, and ending June 30, 2020, representing Special Education Administrators.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_



**STATE DEPARTMENT OF EDUCATION**  
**APRIL 20, 2017**

---

I move to reappoint Marjean McConnell as a member of the Professional Standards Commission for a three-year term beginning July 1, 2017, and ending June 30, 2020, representing School Superintendents.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_

I move to appoint Jennifer Snow as a member of the Professional Standards Commission for a three-year term beginning July 1, 2017, and ending June 30, 2020, representing Public Higher Education.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried: Yes \_\_\_\_ No \_\_\_\_