

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

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<b>TAB</b>	<b>DESCRIPTION</b>	<b>ACTION</b>
1	DEVELOPMENTS IN K-12 EDUCATION	Information Item
2	MASTERY BASED EDUCATION UPDATE	Information Item
3	ANNEXATION/EXCISION REQUEST – COEUR D’ALENE SCHOOL DISTRICT (#271)/LAKELAND SCHOOL DISTRICT (#272)	Motion to Approve
4	ANNEXATION/EXCISION REQUEST – COEUR D’ALENE SCHOOL DISTRICT (#271)/POST FALLS SCHOOL DISTRICT (#273)	Motion to Approve
5	ANNEXATION/EXCISION REQUEST – SUGAR SALEM SCHOOL DISTRICT (#322)/FREEMONT SCHOOL DISTRICT (#215)	Motion to Approve
6	PROFESSIONAL STANDARDS COMMISSION - ANNUAL REPORT	Motion to Approve
7	PROFESSIONAL STANDARDS COMMISSION – EMERGENCY PROVISIONAL CERTIFICATES	Motion to Approve

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**SUBJECT**

Developments in K-12 Education

**BACKGROUND/DISCUSSION**

Sherri Ybarra, Superintendent of Public Instruction, will share developments in K-12 education with the Board, including:

- State Technical Assistance Team (STAT) Phase I Schools pilot
- School Improvement
- IRI pilot update; student level score comparison
- Microsoft/Adobe certifications update
- Alternative Authorizations
- Report Card update
- 2018 Legislative update

**ATTACHMENTS**

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Attachment 2 – School Improvement	Page 4
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**BOARD ACTION**

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

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**State Technical Assistance Team (STAT) 2017-2018 Phase I Project**

Idaho will identify comprehensive support and improvement schools for the 2018-2019 school year, as outlined in Idaho’s Consolidated State Plan under ESSA. In preparation for this, ISDE received permission to invite previously identified Priority or Focus schools to be part of a one-year pilot project. LEAs and schools participating in the 2017-2018 STAT Phase 1 are partners to the STAT Core group in jointly refining school improvement support processes and procedures. STAT Core members include ISDE executive team members, Federal Programs Director, School Improvement Coordinator, Accountability and Assessment Director, Communications Director, School Choice Coordinator, and the English Learner and Migrant Education Director. The Idaho Building Capacity regional coordinators, capacity builder coaches, and ISDE content and program staff also participate in STAT.

**STAT 2017-2018 Phase I Project Schools**

- All schools are Title I-A and have high percentages of poverty.

District	School	ESSA STAT Phase I Budget -\$500,000 Base
Challis JSD	Challis Elementary	\$60,566
Caldwell SD	Jefferson Middle	\$93,774
Caldwell SD	Washington Elementary	\$85,723
Kootenai SD	Harrison Elementary	\$53,774
Minidoka JSD	Mt. Harrison Jr Sr High	\$61,824
Payette JSD	McCain Middle	\$71,132
Wendell SD	Wendell Middle	\$73,208

- October 19, 2017 STAT Phase I Informational Meeting – whole group  
The Phase I schools met as a whole group to learn about participation in STAT. Each Superintendent brought a leadership team with representation from principals, teachers, and Federal program director. The university regional coordinators participated; capacity builders sat with their Phase I school, and the Core STAT group facilitated the meeting. The agenda included a presentation on leadership teams, funding formula information, review of a comprehensive data profile for each school, and time to work on the newly developed Schoolwide-Improvement Plan (SWIP) tool.
- Capacity builder coaches are meeting regularly with their Phase I schools.
- Three Check-in Meetings will be conducted individually with each school and one capacity builder group meeting will be conducted during December, January, and February.
- The Schoolwide Improvement Plan (SWIP) for each school is due February 15. Presentation meetings to review and approve the applications will be conducted February 19-28 between each individual school and the STAT Core group.
- Next Steps:
  - Core STAT meetings will be scheduled with individual schools beginning in March.
  - March 13-14, 2018 the Phase I schools will participate in professional development with capacity builders on Marzano’s *The Art and Science of Teaching* (Dr. Iberlin, facilitator).
- An end of Phase I Project Report will be developed during summer 2018 to measure project outcomes.

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**IDAHO SUPERINTENDENTS' NETWORK (ISN)**

The ISN is a project developed by ISDE in partnership with Education Northwest. The goal is to support the work of district leaders in improving outcomes for all students by focusing on the quality of instruction. The network is made up of superintendents who work together to develop a leadership community focused on teaching and learning, which includes considering obstacles that may be preventing improvement in the quality of the instruction in districts. The SDE acts as a resource and provides the necessary research, experts, and planning to bring superintendents from across the state together to discuss pertinent and relevant issues.

Members of Idaho Business for Education and Idaho Legislators have been participants in ISN for the past two years. The goal is to bring leaders from all sectors together to create consensus and action plans around key improvement strategies.

\$149,000 is budgeted for the Idaho Superintendents Network (ISN) project. This activity is funded 68% from ESSA Title I-A school improvement funds and 32% from school improvement State funds.

Each year, a participant survey is conducted after each of the three convenings. Data is gathered based on learning outcomes and focus. For example, during the 2016-2017 school year the focus of ISN was on recruitment and retention of effective educators. In addition to many districts improving recruitment efforts, onboarding, and support for teachers, ISN was also influential in the development of a report by NW Regional Education Lab on the current landscape of educators in Idaho. A program evaluation for ISN will be conducted during 2018-2019 school year.

**IDAHO PRINCIPALS' NETWORK (IPN)**

IPN is an outgrowth of ISN. The project was developed by ISDE at the request of district superintendents to support building leaders while they improve learning outcomes for all students by focusing on the quality of instruction. IPN is a professional learning community focused on increasing the effectiveness to the instructional core.

Principals participate in a balance of content, professional conversation, and collegial instructional rounds related to instructional leadership, managing change, and improving the overall effectiveness of the instructional core.

Strands of study include activities such as:

- Evaluating Leadership Frameworks and Turnaround Leadership Competencies.
- Supporting Instructional Rounds and Classroom Observations.
- Implementing personal professional growth plans based on self-evaluations.
- Networking with collegial conversation, collaboration and relationship building.

The Idaho Principals Network serves as a resource for principals who are in schools that are in improvement in order to support and build their capacity in specific aspects of leadership. IPN provides training unique to the principal regarding higher level perspectives on leadership.

\$175,000 is budgeted for the Idaho Principals Network (IPN) project. This project is funded 69% from ESSA Title I-A school improvement funds and 31% school improvement State funds.

Each year, a participant survey is conducted after each of the three convenings. Data collected in July 2017 indicated that IPN participants were overwhelmingly satisfied with the program. Over 95% of participants would either recommend or strongly recommend the program and indicated that the workshops are useful and directly impact their work. For the 2017-2018

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school year, a program evaluation of IPN will be conducted by Education Northwest with a completion date of July 2018. This evaluation includes a program survey, training feedback survey, participant interviews, and three data briefings.

**IDAHO PRINCIPAL MENTORING PROJECT (IPMP)**

The Idaho Principal Mentoring Project was a new professional development activity for the 2016-2017 school year. In its second year, IPMP is designed for early career principals and provides them with multiple levels of support. The program hires highly distinguished principals and/or superintendents trained by the state to mentor new school leaders.

\$207,000 is budgeted for the Idaho Principals Mentoring Project (IPMP). This new professional development activity is funded 100% through the ESSA Title II-A fund for direct services for administrators.

Data collected in July 2017, indicated that 100% of participants were satisfied with the program and that it directly impacted the principals' work. For the 2017-2018 school year, a program evaluation of IPMP will be conducted by Education Northwest with a completion date of July 2018. This evaluation includes a program survey, training feedback survey, participant interviews, and three data briefings.

**IDAHO BUILDING CAPACITY (IBC) PROJECT**

The mission of the IBC project is to support schools and districts to continuously increase student achievement. Coaching is the primary function of IBC. The project is sponsored and directed by the ISDE. Services are designed and delivered in partnership with the Colleges of Education at Boise State University, Idaho State University, and the University of Idaho.

The purpose of IBC is to support districts as they build their capacity to implement sustainable school improvement strategies, aligned to the *Nine Characteristics of High Performing Schools*. The Capacity Builder (CB) works collaboratively with district administrators, site leaders, and staff to implement sustainable, quality educational practices. Capacity Builders are skilled educators who are chosen for their coaching aptitude and expertise in education systems. Capacity Builders are trained in coaching models to ensure skills and strategies are used effectively in supporting their sites. They receive training in the tools and protocols most relevant to their work, including data and root cause analysis, precision goal setting, school improvement planning, systems change, and specific leadership and instructional practices.

CB coaches develop SMART goals with each school and reflect and report regularly on these. Planning, reflecting and problem solving conversations are used to facilitate the decision making of the educators with whom they work. Monthly reports are submitted to the ISDE.

\$2.6 million is budgeted for the Idaho Building Capacity project. This project is funded 85% from Title I-A school improvement and 15% from school improvement State dollars.

The IBC project was formally evaluated in 2015. Additionally, numerous anecdotal testimonials by district and school leaders are collected. An analysis of student achievement data for IBC schools over the last three years is being conducted. A program evaluation for IBC will be conducted at the end of the 2018-2019 school year.

# The New IRI – Pilot Update



- Istation’s early reading assessments (ISIP™ ER) measure reading development for students in grades K through 3
- Computer Adaptive assessment

Grade	ISIP Subtest	Legacy IRI Subtest
Kindergarten	Letter Knowledge Phonemic Awareness Listening Comprehension Vocabulary	Letter Naming Fluency* Letter Sound Fluency
1 <sup>st</sup>	Letter Knowledge Phonemic Awareness Alphabetic Decoding Vocabulary Comprehension Spelling Text Fluency	Letter Sound Fluency* Reading Fluency
2 <sup>nd</sup>	Vocabulary Comprehension Spelling Text Fluency	Reading Fluency
3 <sup>rd</sup>	Vocabulary Comprehension Spelling Text Fluency	Reading Fluency

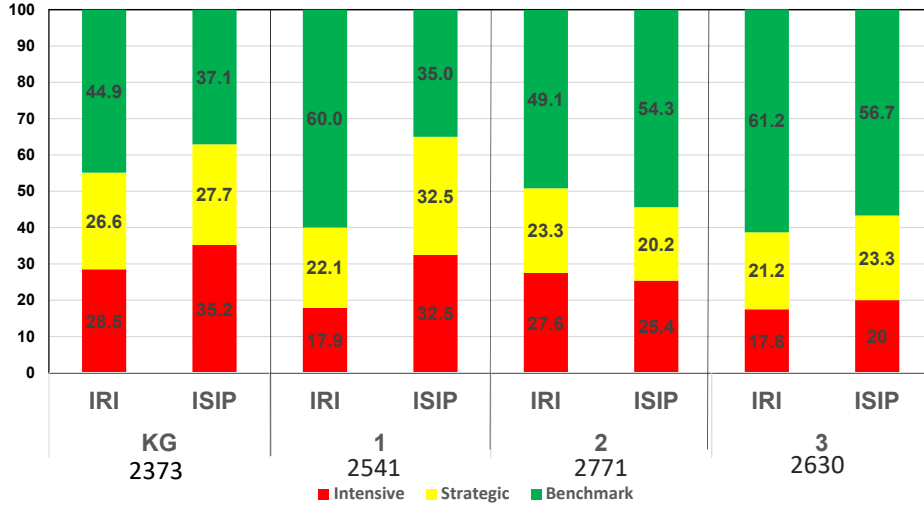




# IRI Pilot Update – Data Comparison



IRI and ISIP Overall Score – Fall 2017

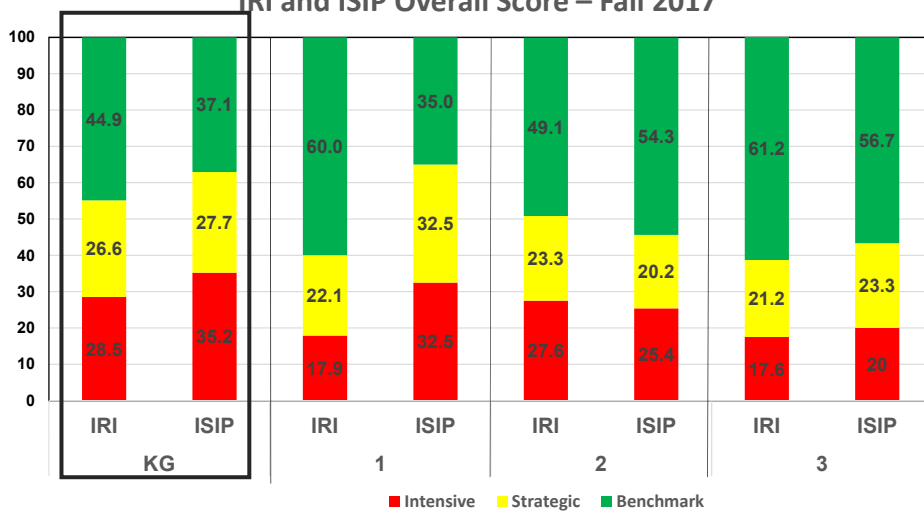


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# IRI Pilot Update – Data Comparison

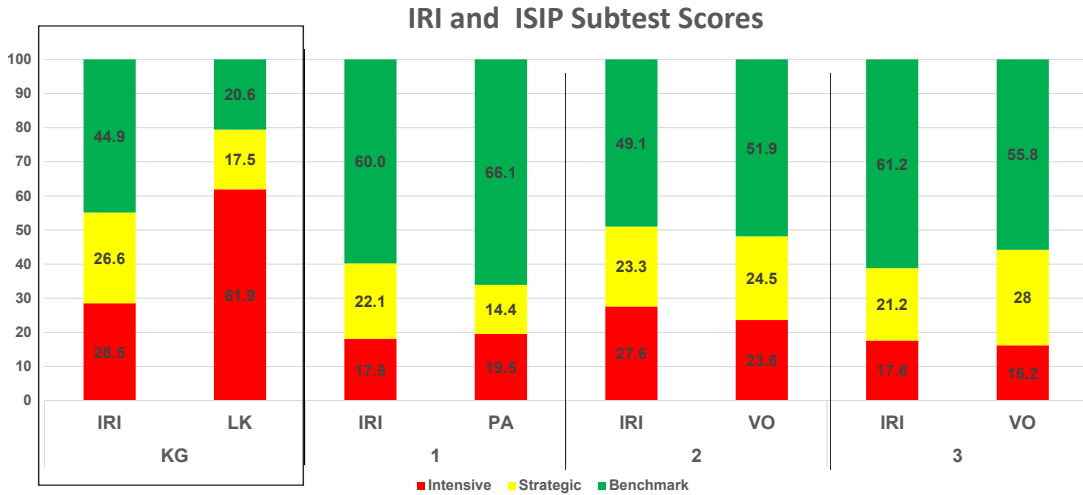


IRI and ISIP Overall Score – Fall 2017



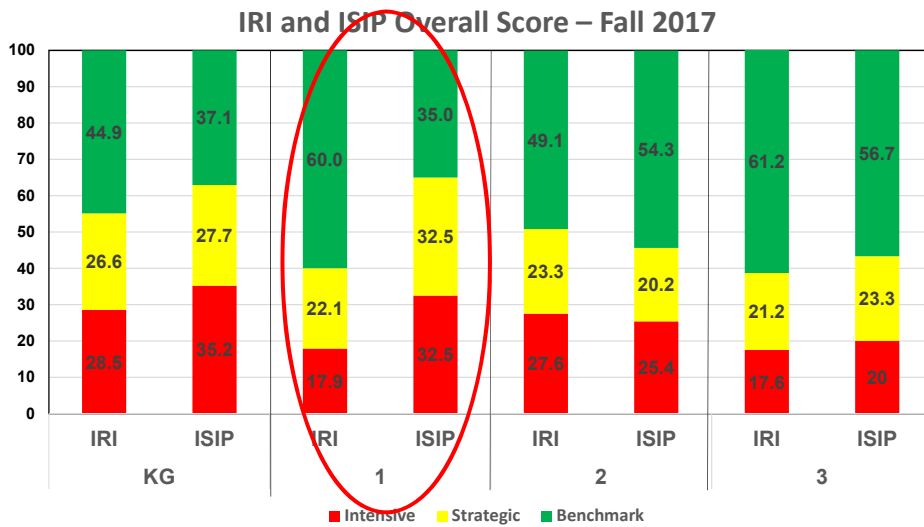
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# IRI Subtest Comparison



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# IRI Pilot Update – Data Comparison



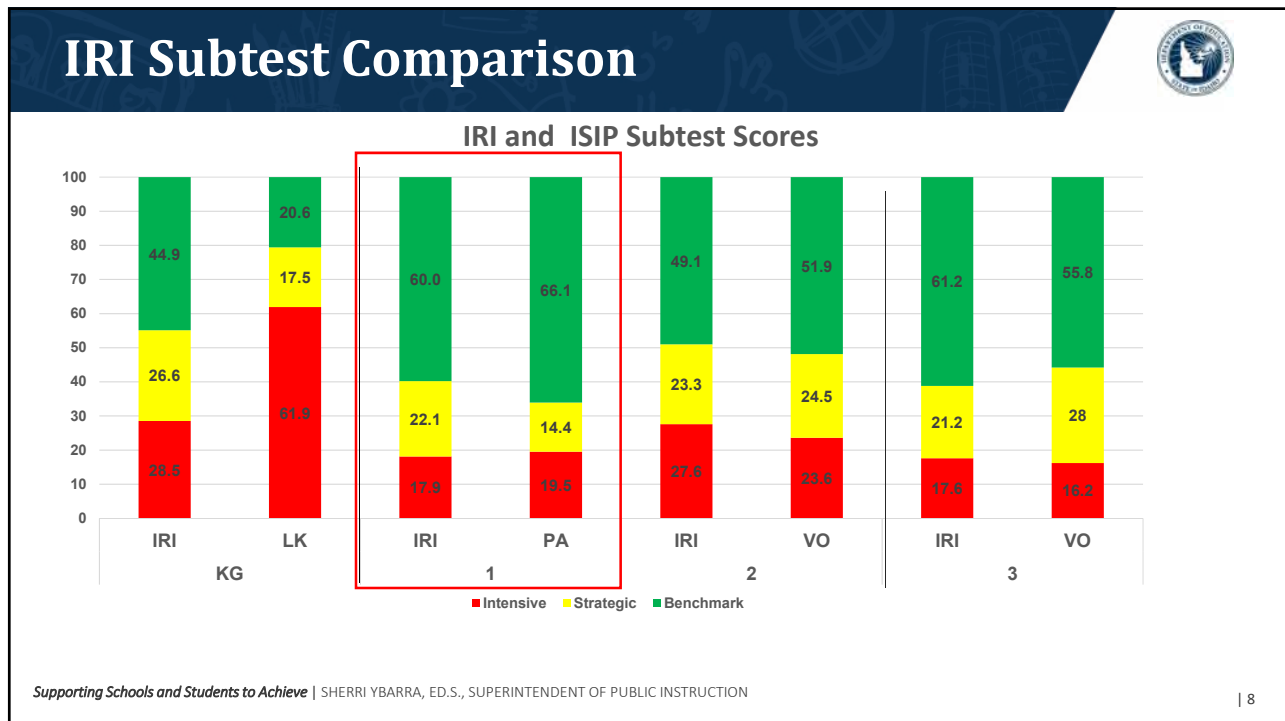
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Grade	ISIP Subtest	Legacy IRI Subtest
Kindergarten	Letter Knowledge Phonemic Awareness Listening Comprehension Vocabulary	Letter Naming Fluency* Letter Sound Fluency
1 <sup>st</sup>	Letter Knowledge Phonemic Awareness Alphabetic Decoding Vocabulary Comprehension Spelling Text Fluency*	Letter Sound Fluency* Reading Fluency
2 <sup>nd</sup>	Vocabulary Comprehension Spelling Text Fluency	Reading Fluency
3 <sup>rd</sup>	Vocabulary Comprehension Spelling Text Fluency	Reading Fluency

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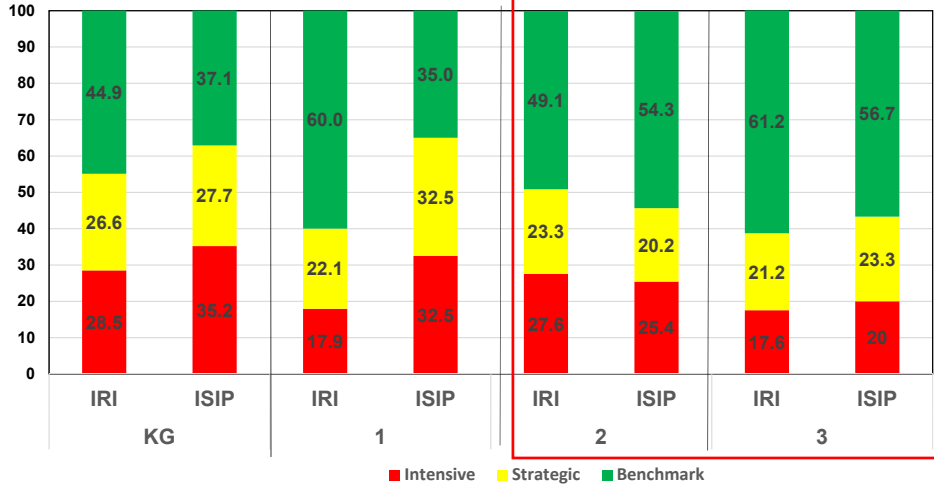
## IRI Subtest Comparison



# IRI Pilot Update – Data Comparison



IRI and ISIP Overall Score – Fall 2017

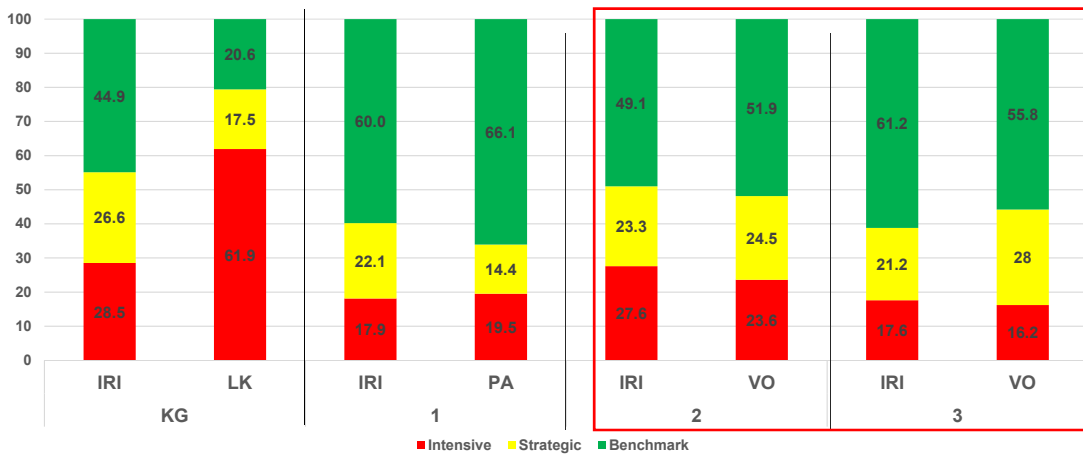


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# IRI Subtest Comparison



IRI and ISIP Subtest Scores



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## Technical Certifications

Microsoft Imagine Academy and Adobe Create Idaho

Rick Kennedy  
Academics Department



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## Microsoft Imagine Academy

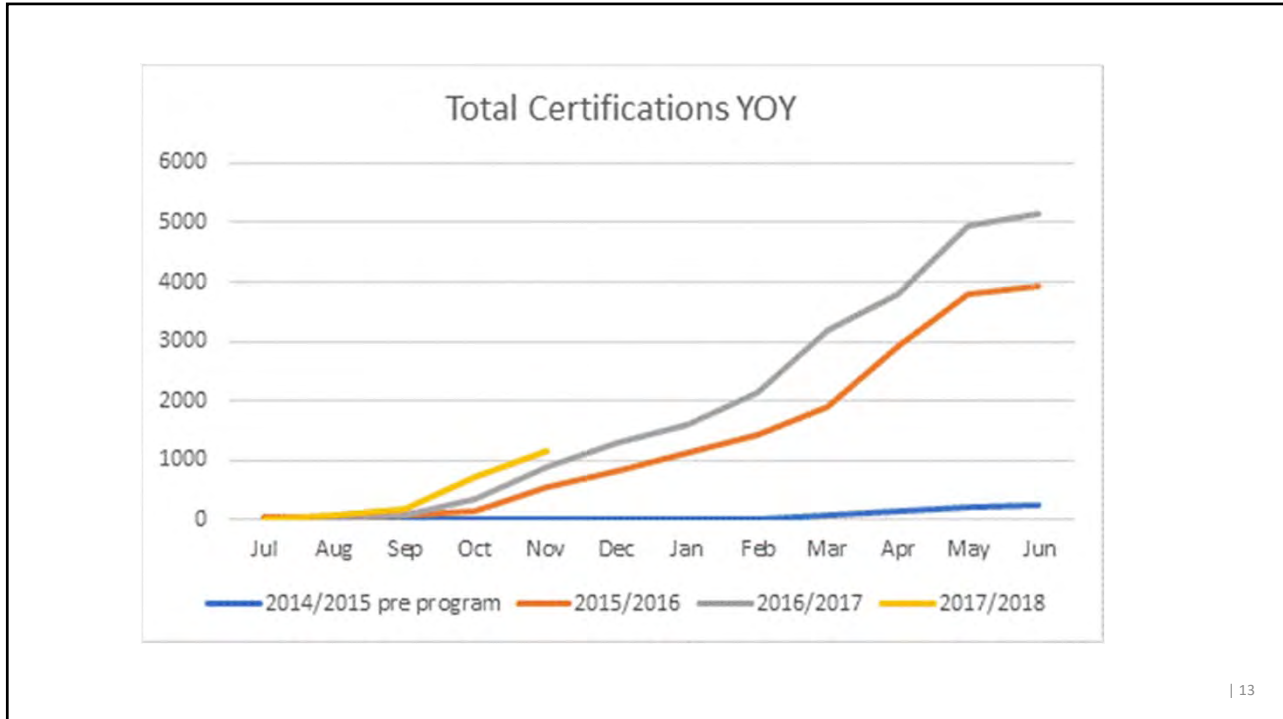


- 139 participating schools
- Third year in program
- First year (2015-16) certifications = 3,000
- Second (2016-17) year certifications = 5000
- Projected third year (2017-18 )certifications = 8,000

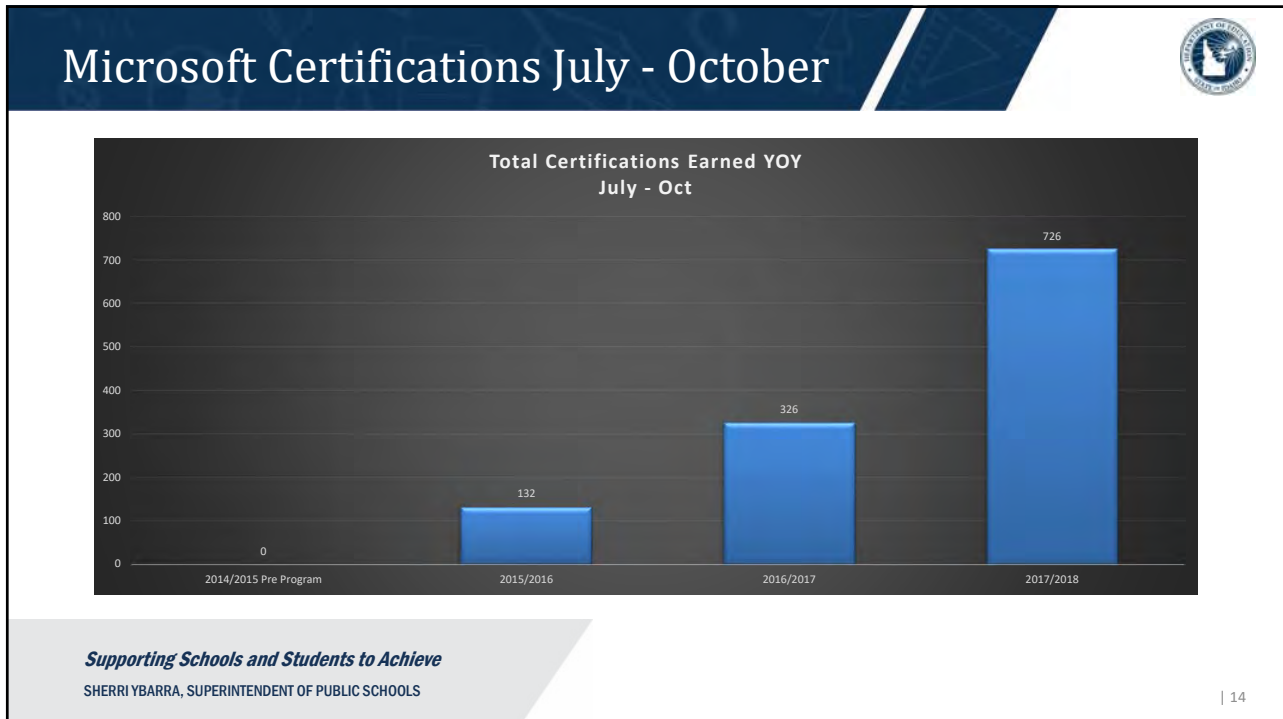
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## Create Idaho Adobe Pilot

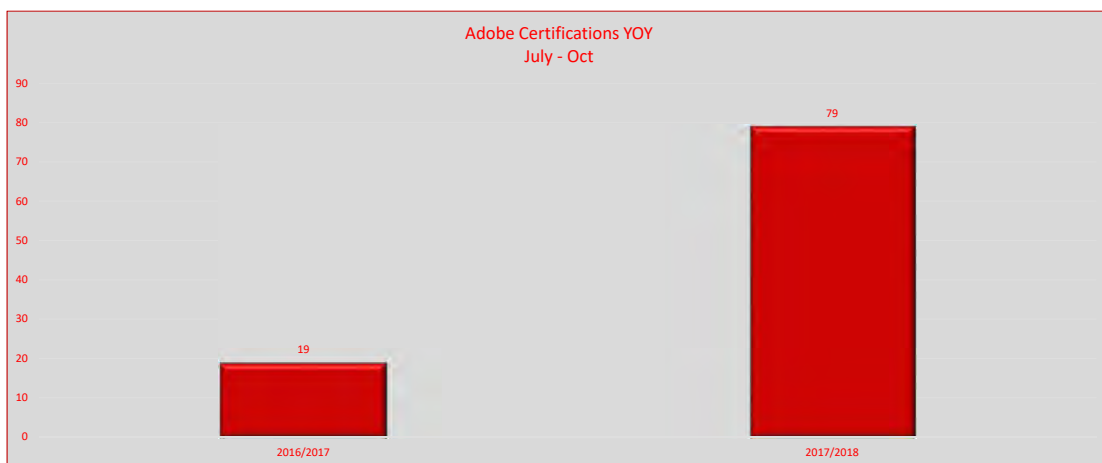
- First and only statewide Adobe implementation in US
- 65 participating schools
- Second year in program
- First year (2016-17) certifications = 728
- Projected second year (2017-18 )certifications = 2,000
- Idaho was highlighted at Adobe's annual EduMax conference

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## Adobe Certifications July - October



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## Questions?



**Rick Kennedy**  
Instructional Technology Coordinator  
208 332 6852  
rkennedy@sde.idaho.gov



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## Alternative Authorizations



Authorization Type	2016-2017 School Year as of November 2016	2017-2018 School Year as of November 2017
Content Specialist	302	435
Teacher to New	133	185
Pupil Personnel	9	3
Emergency Provisional	0	25
<b>TOTAL</b>	<b>444</b>	<b>648</b>

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## Report Card Update



### Now – November 2018

SDE in collaboration with board staff will build a data profile  
Working with a designer  
Engaging parents on design and information  
ESSA Compliant static report by December 1, 2018

### Spring 2018 - RFP Released

### Late Spring and ongoing

Development and Deployment of Dashboard/ESSA Compliant  
Report Card

## 2018 Legislative Update



- **Rural Education Support Networks** – provide assistance to rural school districts who wish to coordinate in order to share educational resources
- **Mastery Education** – allow the SDE to scale mastery by removing the existing cap and allowing other districts and schools to participate
- **Advanced Opportunities** – simplify paperwork and reporting to the SDE where possible
- **Safe and Drug Free Schools** – amend 63-2506 and 63-2552A (tobacco tax revenue uses in schools) to include school climate/safety, and to include the Idaho School for the Deaf and the Blind as a beneficiary
- **Teacher Recruitment and Retention** – incentivize Idaho's teachers to teach in rural and hard-to-fill positions

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**SUBJECT**

Mastery Based Education Update

**REFERENCE**

October 2014	Board adopted recommendations for implementing the 2013 Task Force recommendations, including implementation of those regarding mastery-based education in Idaho's public schools.
May 2015	Board received a presentation from the Foundation for Excellence in Education regarding mastery-based education and possible partnership opportunities.
January 11, 2016	Board endorsed the Governors 2016 Legislative Initiatives, including funding for the mastery-based education pilot programs
June 2017	Board received a brief update from the State Superintendent of Public Instruction on the mastery-based education pilot program.
August 2017	Board received an update from the Department of Education on the mastery-based education pilot program.

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-1632, Idaho Code  
Idaho Administrative Code, IDAPA 08.02.03.105

**BACKGROUND/DISCUSSION**

Idaho currently has 19 incubators, consisting of 32 schools participating in the mastery-based education program. The schools used the 2016-2017 school year to design, plan, and collaborate in order to chart the course for Idaho's shift to student progression based on demonstrated mastery, not seat time. As the program has progressed through early stages of planning and design, the Department of Education has heard from several schools who would like to participate. Currently, 33-1632, Idaho Code has capped the mastery-based education program at 20 incubators, and must be amended in order to scale the approach.

The State Department of Education has analyzed use of funds so far among existing participating schools and districts, as well as preliminary outcomes.

**IMPACT**

The public schools support program currently contains a line item for mastery-based education funded at \$1.4 million for the 2017-2018 year. These funds are used for professional development, statewide awareness campaign, coaching, purchased services, travel, supplies/materials, and stipends. The Department of Education is asking for an additional \$1.4 million in its 2018-2019 budget to

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scale the program. These funds will be used for additional Idaho Mastery Education Network districts and schools.

**ATTACHMENTS**

Attachment 1 –Presentation

Page 3

**STAFF COMMENTS AND RECOMMENDATIONS**

In 2014, the Board facilitated the work of five (5) subcommittee's working on recommendations for implementing the 2013 Education Improvement Task Force Recommendations. The Structure and Governance Subcommittee's responsibilities included implementation strategies for the shift to a mastery-based system where students advanced based upon content mastery, rather than seat time requirements. The subcommittee found there were no prohibitions in state law to moving to a mastery-based system, and that there is specific authorization in Administrative Code that allows school districts and charter schools to develop their own mechanisms for assessing student mastery of content and awarding credits for the mastery at the secondary level. The subcommittee recognized that there were some barriers in how school districts reported students in specific grade levels to the state for funding, however, most barriers were largely perceived rather than actual obstructions. The full recommendations may be viewed on the Board's website.

Section 33-1632, Idaho Code requires the Department:

- (a) Conduct a statewide awareness campaign to promote understanding and interest in mastery-based education for teachers, administrators, parents, students, business leaders and policymakers;
- (b) Establish a committee of educators to identify roadblocks and possible solutions in implementing mastery-based education and develop recommendations for the incubator process; and
- (c) Facilitate the planning and development of an incubator process and assessments of local education agencies to identify the initial cohort of up to twenty (20) local education agencies to serve as incubators in fiscal year 2017.

As identified in the original subcommittee of the Governors Task Force for Improving Education, state law and administrative code allow for school districts and charter schools to implement a master-based education system. The purpose of the incubators was intended to be used to identify barriers, real and perceived, that were keeping school districts from implementing master based systems. While the incubators have not resulted in systemic changes they have been useful to school districts in identifying local barriers such as student management systems and professional development needs.

**BOARD ACTION**

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



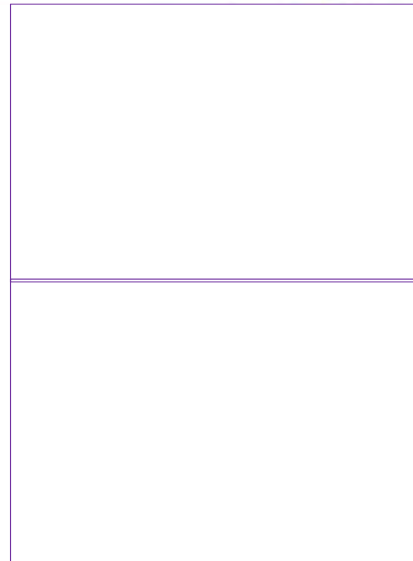
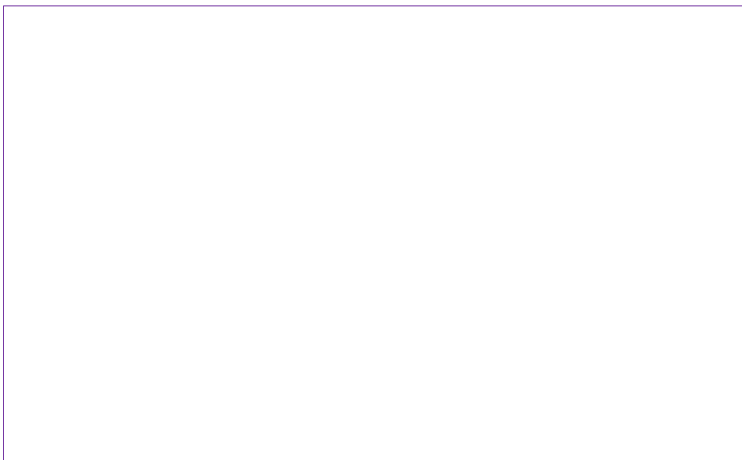
# Mastery for All

Idaho State Department of Education

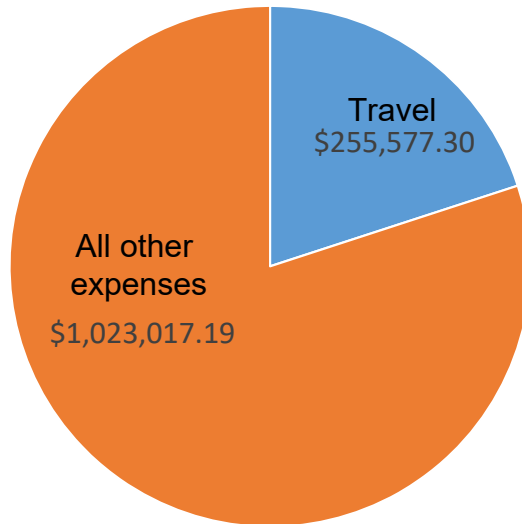
**Kelly Brady/Duncan Robb**  
Mastery Education Director/Chief Policy Advisor

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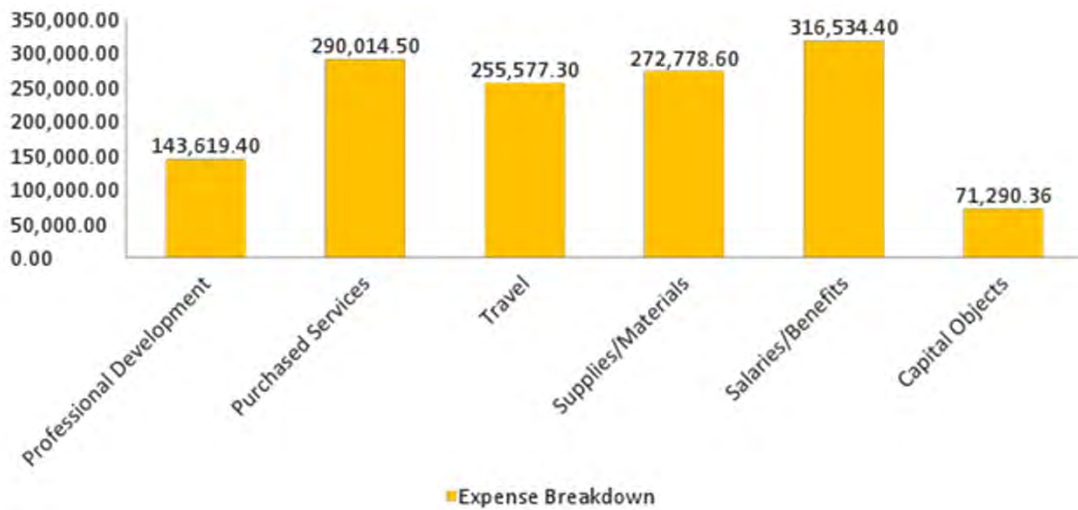
## How have state funds been spent?



\$1,349,814.56

Mastery for All | 3

## How have state funds been spent?



\$1,349,814.56

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# Questions?

**Kelly Brady** | Mastery Education Director  
Idaho State Department of Education  
650 W State Street, Boise ID 83702  
208 332 6800  
[kbrady@sde.idaho.gov](mailto:kbrady@sde.idaho.gov)  
[www.sde.idaho.gov/mastery-ed/](http://www.sde.idaho.gov/mastery-ed/)



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**SUBJECT**

Annexation/Excision Request – Coeur d’Alene School District (#271)/Lakeland School District (#272)

**REFERENCE**

June 2012	Board accepted the findings and conclusions of the hearing officer and approved the excision and annexation of property from the Lakeland School District to the Coeur d’Alene School District.
February 2015	Board accepted the findings and conclusions issued by the hearing officer and approved the excision and annexation of property from the Lakeland School District to the Coeur d’Alene School District.

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-308, Idaho Code;  
Idaho Administrative Code, IDAPA 08.02.01.050

**BACKGROUND/DISCUSSION**

Perfecta Valuation Services LLC/Nathaniel and Lindsey Grossglauer submitted a petition to the Coeur d’Alene and Lakeland School Districts requesting an excision of their Hayden development Giovanni Estates and personal residence located at 9055 N Atlas Road, Hayden, from Lakeland School District 272, to be annexed to Coeur d’Alene School District 271. The petitioners are the only electors living in the proposed area. According to the petition, the petitioners have two children, ages 5 and 1. The Coeur d’Alene School District Board of Trustees considered the petition at its June 5, 2017 meeting and voted to recommend approval of the request for annexation by vote of 4 – 1. The Lakeland School District Board of Trustees considered the petition at its June 12, 2017, meeting and voted unanimously against the proposed excision.

Section 33-308, Idaho Code, provides a process whereby the State Board of Education shall consider amendment of the boundaries of adjoining school districts and direct that an election be held, provided that the proposed excision and annexation is in the best interest of the children residing in the area described, and excision of the territory would not leave a school district with a bonded debt in excess of the limit prescribed by law. IDAPA 08.02.01.050 includes criteria for review of the petition by a hearing officer appointed by the Superintendent of Public Instruction for purposes of making recommendations to the State Board of Education.

Edwin Litteneker, Attorney at Law, was appointed as hearing officer for this petition. As the Coeur d’Alene School District had corrected its boundary through an action of the Board in June 2017, Department staff provided the corrected boundary information to the hearing officer along with the petition. A hearing on the matter was held on September 13, 2017, at Atlas Elementary School in Coeur

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d'Alene. Four (4) people attended the hearing, including the superintendents of both school districts. On October 6, 2017, the State Department of Education received Mr. Litteneker's Findings of Fact, Conclusions of Law and Recommendations, dated October 4, 2017.

The findings of fact by the hearing officer include the following:

- The petitioner's residence is the only existing residence in the proposed annexation area. The petition states that all of the properties to the north, west and east of this property is within the Coeur d'Alene School District. The remaining adjoining property is in the Lakeland School District.
- Atlas Elementary School, Coeur d'Alene School District, is about 700 feet away from the proposed development.
- Lakeland School District acknowledges the rapid development of this area and believes it can serve the anticipated residents in this area in its schools.
- Interim Superintendent of the Coeur d'Alene School District, Stan Olson, indicated that in spite of the Coeur d'Alene School Board's yes vote, it is appropriate to engage in a collaborative process to reasonably, fairly, and consistently adjust the boundaries between not only the Coeur d'Alene and Lakeland School Districts, but and also the Post Falls District.
- Lakeland staff indicated that it made substantially more sense to engage in a cooperative discussion about where the districts' common boundaries should be.
- The excision would not leave the Lakeland School District with a bonded indebtedness in excess of the amount specified by law.
- The Petition is in the form required pursuant to Section 33-308, Idaho Code, and signed by the only electors residing in the area. The legal descriptions were in a form provided by Section 33-308, Idaho Code.

Conclusions of the hearing officer include the following:

- There is considerable concern that continued piecemeal exchange in the respective boundaries of the Lakeland and Coeur d'Alene School Districts is not in anyone's best interest.
- The petitioner is interested in annexation to Coeur d'Alene based upon the proximity of the neighborhood to Atlas Elementary within the Coeur d'Alene School District. However, there is not a significant number of students attending school in Lakeland and residing in Giovanni Estates.
- The Lakeland School District is prepared to construct a school within its boundaries adjacent to the Coeur d'Alene School District, which can reasonably and timely service this neighborhood as it develops.

The hearing officer determined that the record does not support a conclusion that the excision of the described property from Lakeland School District 272 and annexation to Coeur d'Alene School District 271 would be appropriate. Therefore, it is the hearing officer's recommendation that the petition for excision and annexation be denied.

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The Clerk of the Board for the Coeur d'Alene School District has indicated that the Superintendents of the Coeur d'Alene, Lakeland, and Post Falls School Districts are currently discussing how to adjust district boundaries to benefit students as the county's population grows.

**IMPACT**

Should the recommendation of the hearing officer be accepted, the petition for annexation from the Lakeland School District to the Coeur d'Alene School District will be denied. Should the recommendation of the hearing officer be rejected, the petition shall be submitted for a vote by the school district electors residing in the area described in the petition.

**ATTACHMENTS**

Attachment 1 – Findings of fact, Conclusions of Law and Recommendation	Page 5
Attachment 2 – Coeur d'Alene recommendation and petition materials	Page 17
Attachment 3 – Lakeland recommendation and petition materials	Page 29

**STAFF COMMENTS AND RECOMMENDATIONS**

Approval of the petition by the Board would allow for the proposal to be submitted to the school district electors residing in the area described for annexation/excision in the petition.

Pursuant to section 33-308, Idaho Code, the Board of Education shall approve proposals for excision and annexation if the proposal is in the best interest of the children residing in the area described in the petition and the excision of the area would not leave a school district with a bonded debt in excess of the limit prescribed by law. If either condition is not met the Board of Education must disapprove the proposal.

For a petition to be properly before the Board for consideration the petition must be from a Board of Trustees of the school district or from one-fourth (1/4) or more of the school district electors, residing in an area of not more than fifty (50) square miles within which there is no schoolhouse or facility necessary for the operation of a school district. The petition must contain:

- (a) The names and addresses of the petitioners;
- (b) A legal description of the area proposed to be excised from one (1) district and annexed to another contiguous district. Such legal description shall be prepared by a licensed attorney, licensed professional land surveyor or licensed professional engineer professionally trained and experienced in legal descriptions of real property;
- (c) Maps showing the boundaries of the districts as they presently appear and as they would appear should the excision and annexation be approved;
- (d) The names of the school districts from and to which the area is proposed to be excised and annexed;
- (e) A description of reasons for which the petition is being submitted; and

**STATE DEPARTMENT OF EDUCATION  
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- (f) An estimate of the number of children residing in the area described in the petition.

The hearing officer findings indicate the excision of the territory, as proposed, would not leave a school district with a bonded debt in excess of the limits prescribed by law; however, there are no findings that the excision and annexation is in the best interest of the children residing in the area described in the petition. According to the hearing officer findings, only one of the two required conditions have been met. Pursuant to Section 33-308(4), Idaho Code "If either condition is not met, the State Board shall disapprove the proposal."

**BOARD ACTION**

I move to accept the recommendation of the hearing officer and to deny the petition for excision and annexation of property from Lakeland School District 272 to Coeur d'Alene School District 271.

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

BEFORE THE HEARING OFFICER FOR THE  
STATE BOARD OF EDUCATION

In the matter of the petition requesting )  
The excision of territory from )  
Lakeland School District No. 272, )  
)  
)  
And annexing said territory into )  
)  
)  
Coeur d' Alene School District No. 271, )  
)  
District. )  
\_\_\_\_\_ )

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND RECOMMENDATION**

**INTRODUCTION**

A Hearing was conducted on September 13, 2017 by Hearing Officer, Edwin L. Litteneker, appointed by the State Board of Education for purposes of gathering public comment on a proposed change in the boundaries of the Lakeland School District No. 272 and the Coeur d' Alene School District No. 271. The Hearing commenced at 7:15 p.m. in the Library at the Atlas Elementary School in Coeur d' Alene, Idaho.

Idaho Code Section 33-308 provides for a process whereby the State Board of Education will consider the approval of a Petition to change the boundaries of adjoining school districts and may direct that an election be held, provided that the proposed excision and annexation is in the best interest of the children residing in the area described in the Petition. Additionally, the excision of the territory that is proposed should not leave the Lakeland School District with a bonded indebtedness in excess of the limit prescribed by law.

The Idaho State Board of Education has adopted rules at IDAPA 08.02.01.050 which include criteria for the review of the Petition for Excision and Annexation and a hearing process

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to gather public comment for purposes of the Hearing Officer making these recommendations to the State Board of Education.

Four people attended the hearing on September 13, 2017. The Petitioner, Nathaniel Grossglauser was not in attendance. The Interim Superintendent of Coeur d' Alene School District No. 271, Dr. Olson and Dr. Meyer, the Superintendent of the Lakeland School District No. 272 also provided testimony. The Sign in Sheet is made part of the Record which is transmitted separately in the Transmittal of the Record.

Written comments were also received from Garry Nystrom which are identified as Exhibit. 1. The exhibits are also included in the Record.

The proceedings were recorded and a recording of the hearing is separately transmitted digitally to the State Board of Education and also referenced in the Transmittal of the Record.

**FINDINGS OF FACT**

1. A Petition to excise property from the Lakeland School District No. 272 was presented by Nathaniel & Lindsey Grossglauser, requesting that a real estate development known as the Giovanni Estates be excised from the Lakeland School District and annexed into the Coeur d' Alene School District.
2. The Applicant's residence is the only presently existing residence in an area in the proposed annexation area. The Petition indicates that all of the properties to the North, West and East of this property is within the Coeur d' Alene School District, the remaining adjoining property is in the Lakeland School District.
3. The Atlas Elementary School of the Coeur d' Alene School District is located approximately 700 feet away from the proposed development.

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4. The Lakeland Board of Trustees met and considered the Petition to excise the area from the Lakeland School District. The Lakeland School District Board of Trustees voted against the proposed excision.
5. The Coeur d' Alene School District considered the Petition on June 12, 2017 and voted to recommend approval of the request for annexation.
6. The Lakeland School District acknowledges the rapid development of this area and believes it can serve the anticipated residents in this area in its schools.
7. In spite of the Board recommending approval of the Petition, the Interim Superintendent of Coeur d' Alene School District indicated that it is appropriate to engage in a collaborative process to reasonably, fairly and consistently adjust the boundaries between the Coeur d' Alene School District and the Lakeland School District and also made reference to the Boundary Petition involving the Post Falls School District, which was heard prior to this matter.
8. The Lakeland School District joined in the analysis, indicating that it made substantially more sense to engage in a cooperative discussion about where the School District's common boundaries should be.
9. The excision would not leave the Lakeland School District with a bonded indebtedness in excess of the amount provided by law.
10. The record reflects that the Petition is in the form required pursuant to I.C. § 33-308 and assigned by the only electors residing within the area. The legal descriptions were in a form required by I.C. § 33-308.

CONCLUSIONS

1. IDAPA 08.02.01.050 requires a review of the proposed alteration of a District's boundaries that takes into account specific facts which are discussed above.
2. Based on this Record, the annexation as proposed does not leave the Lakeland School District with a bonded indebtedness in excess of the amount provided by law.
3. However, there is a considerable concern that a continued piecemeal change in the respective boundaries of the Lakeland and Coeur d' Alene School Districts is not in anyone's best interests.
4. The Lakeland School District patron was interested in the annexation into the Coeur d' Alene School District based upon the proximity of the neighborhood to Atlas Elementary within the Coeur d' Alene School District. However, at this time there are not a significant number of Students attending school in Lakeland and residing in Giovanni Estates.
5. The Lakeland School District is prepared to construct a school within its boundaries adjacent to the Coeur d' Alene School District which can reasonably and timely serve this neighborhood as it develops.
6. The Coeur d' Alene School District apparently has sufficient capacity and community support to serve this neighborhood adjacent to the Atlas Elementary School. However, the District's Interim Superintendent's stated opposition at the hearing to the proposed annexation weighs against the idea that the annexation is either in the interests of the students or is a suitable school setting for the potential students to be enrolled.
7. It makes substantially more sense to permit the affected school districts to create a collaborative process whereby the respective school districts can resolve their common



school district boundaries, prior to submitting the Petition to the parties within the area to be annexed.

**RECOMMENDATION**

The Record does not support a conclusion that the excision of the described land from the Lakeland School District #272 to be annexed into the Coeur d' Alene School District #271 would be appropriate.

Therefore, it is recommended to the State Board of Education that the petition for excision and annexation be denied.

DATED this 4 day of October, 2017.

  
\_\_\_\_\_  
Edwin L. Litteneker  
Hearing Officer

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

I DO HEREBY CERTIFY that a true  
And correct copy of the foregoing  
Document was:

Mailed by regular first class mail,  
And deposited in the United States  
Post Office

Sent by facsimile.

Sent by Federal Express, overnight  
Delivery

Hand delivered

To:

Helen Price  
Program Specialist, Board Materials & Rules  
Idaho State Department of Education  
650 W State Street, 2<sup>nd</sup> Floor  
Boise, Idaho 83702

On this 4 day of October, 2017.



Edwin L. Litteneker

**SIGN IN SHEET**

Hearing on Petition to excise territory from Lakeland School District No. 272  
And annex said territory into Coeur d' Alene, School District No. 271  
Atlas Elementary  
September 13, 2017

Name	Address	Will you be offering live testimony?
Dr. Becky Meyer	LJSD: 15506 WA St. Rindrum 83858	<input checked="" type="radio"/> Yes <input type="radio"/> No
Briana Wallace	" "	<input checked="" type="radio"/> Yes <input type="radio"/> No
Stam Olson	CDA SD 271	<input checked="" type="radio"/> Yes <input type="radio"/> No
Chris R Shipley	23721 E Maxwell Liberty Lake WA 99017	<input checked="" type="radio"/> Yes <input type="radio"/> No
		<input type="radio"/> Yes <input type="radio"/> No
		<input type="radio"/> Yes <input type="radio"/> No
		<input type="radio"/> Yes <input type="radio"/> No
		<input type="radio"/> Yes <input type="radio"/> No
		<input type="radio"/> Yes <input type="radio"/> No
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		<input type="radio"/> Yes <input type="radio"/> No
		<input type="radio"/> Yes <input type="radio"/> No

STATE DEPARTMENT OF EDUCATION  
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Haley Gibson

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**From:** radar250@aol.com  
**Sent:** Monday, September 11, 2017 9:13 AM  
**To:** msouza@senate.idaho.gov; hprice@sde.idaho.gov; Haley Gibson  
**Cc:** ebutler@sd273.com; jkeane@sd273.com  
**Subject:** September 11, 2017 Hearing

To Senator Souza, Ms Price and the attorney holding the hearing.

Senator Souza, I believe here is a prime example of wasted taxpayer dollars. Today, there will be a hearing, one where neither the school districts knowing they have stakeholders interested in the attending and others knowing the same thing decided to make scheduling arrangement which at best did not serve the public interest. Additionally, I question if this is required to be a public meeting, meaning should have it been place in the press with notice as it will affect a much larger group other than just the people living in the Trails subdivision.

In fact Senator Souza, Mr. McGuire who lives within my subdivision has even made a comment that it appears that a decision has already been determined by reading some of the e-mails which I have shared. And yes, he too is very concerned we have the same attorney doing this hearing who did the last hearing involving the West Landings.

Now for Haley and Jerry Keane as well as Senator Souza and Ms Price.

I do not even believe this hearing should be taking place. The Coeur d' Alene School District voted against taking this subdivision in when it met a few months ago. So the school district where the subdivision wants to send their children says they cannot handle them. So why does the State think they know better and then will take on this request and as the developer has said, "we will take our chances with the Board of Education." Does the State really know better than those who run the schools? I don't think so.

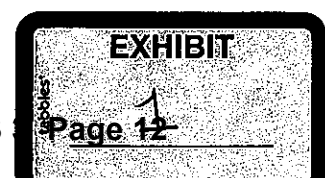
So, now let's talk education. Are Coeur d' Alene Schools better? I believe the answer is no. I personally know of an individual who has sent two daughters to Coeur d' Alene and one son to Post Falls and he believes there is no difference. I believe that Post Falls offers just as good of an education as the rest of the schools around here, so I believe that is no justification for them to leave the district.

City impact: While the Coeur d' Alene discussed them being within the City area of impact, Coeur d' Alene currently has property which is within the Post Falls area of impact. If we want to change subdivision base on what city they are in, then the State should review Coeur d' Alene's property and consider a change too. I would suggest we take up that measure after the 2020 census. We could also work to have both school boards as well as citizen from each district come up with a new border and submit it to the voter of each district. Meaning, we might consider giving up the Trails, but we could take equal property value which is in the City of Post Falls already.

I approve that these type of request to leave the district need to go away. I believe this is a misused process where only a few and in one other case, there was only one vote casted. Coeur 'd Alene has been there own worst enemy as they are taking on other subdivision from other districts. This needs to stop. Many cities have more than one water district, irrigation district, etc. Those living in the Trail and in fact the West Landings knew from the very first date they were in Post Falls District. If they didn't like it, then they shouldn't have bought in there. But it is not right for the Post Falls taxpayers to keep having \$30 million here, \$45 million here in property values leaving the district. If I want to leave Avista, I would have to do a buyout and maybe school districts should have the same.

So, since CDA has said no, the State should honor that and let it be addressed at a later date where just maybe both districts can agree on something.

Gary Nystrom



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

Haley Gibson

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**From:** radar250@aol.com  
**Sent:** Thursday, August 31, 2017 2:20 PM  
**To:** ebutler@sd273.com  
**Cc:** Haley Gibson  
**Subject:** Re: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Erin

Thanks. I have read Haley comments, however, even she is missing the point. My point is that we don't have to have the meeting just at Atlas school. We can have it in many places. I also believe this should be considered a public hearing and the entire public should have a right to participate. However, I believe that those who are scheduling these things are only considering school board officials and maybe the developer who wants out. I believe each one of those in scheduling this meeting have not considered there are others who want the chance to voice there opinion, but I found the comment about how Haley believes other taxpayers don't count.

Just because Haley thinks we can submit something in writing often does not give the same impact if you give it in person. As you know, I don't believe Post Falls School District interest is the same Ron McGuire and I have. It showed when the district gave a no recommendation to this request.

Its hard to give a written comment to something you haven't hear. At a hearing, you can listen, take notes and respond. I even question since this is the same attorney who ruled on the West Landings, are we even going to get a fair hearing in the first place.

I believe we can find other open dates. I consider this a matter which impacts not only the Trails subdivision, but other taxpayers and we are not advertising this hearing.

Erin, I sent an e-mail to Senator Souza regarding some issues regarding this entire process. If you have any questions, call me.

Gary Nystrom  
aka Radar

-----Original Message-----

**From:** Erin Butler <ebutler@sd273.com>  
**To:** 'radar250@aol.com' <radar250@aol.com>  
**Sent:** Thu, Aug 31, 2017 10:07 am  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Gary,

As you can see from the email chain, September 5<sup>th</sup> did not work for CDA and the next available options were September 11<sup>th</sup> or September 13<sup>th</sup>. Our board meeting is on the 11<sup>th</sup> so that is how they landed on the 13<sup>th</sup> for rescheduling.

We would be happy to submit for the record any information you would like to provide for the hearing. Please let me know if you would like to do so.

Thank you, Erin

**From:** radar250@aol.com [mailto:radar250@aol.com]  
**Sent:** Wednesday, August 30, 2017 5:34 PM  
**To:** Erin Butler  
**Cc:** haley@littenekerlaw.com; msouza@senate.idaho.gov  
**Subject:** Re: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

STATE DEPARTMENT OF EDUCATION  
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Erin,

This date does not work for me as I will be attending medical treatments in California. I believe, we need to have a voice and changing the date so we can't provide our input is very unfair. I and another friend of ours already believe the process has so far been unfair. I have cc: Senator Souza as she believed we should come out and voice our views. I was ready on the date it was scheduled the first time.

Gary Nystrom  
aka Radar

-----Original Message-----

From: Erin Butler <[ebutler@sd273.com](mailto:ebutler@sd273.com)>  
To: 'radar250@aol.com' <[radar250@aol.com](mailto:radar250@aol.com)>  
Sent: Wed, Aug 30, 2017 10:03 am  
Subject: FW: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Hi Gary,

The Excision Hearing is rescheduled for Wednesday, September 13<sup>th</sup> at 6:15pm at Atlas Elementary.

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**From:** Haley Gibson [<mailto:Haley@littenekerlaw.com>]  
**Sent:** Wednesday, August 30, 2017 8:13 AM  
**To:** Erin Butler  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Thanks Erin,

We are all set for September 13, 2017 at 6:15 p.m.

*Haley J. Gibson*

Legal Assistant to  
Edwin L. Litteneker  
[haley@littenekerlaw.com](mailto:haley@littenekerlaw.com)  
ph. 208.746.0344

---

**From:** Erin Butler [<mailto:ebutler@sd273.com>]  
**Sent:** Tuesday, August 29, 2017 11:54 AM  
**To:** Haley Gibson <[Haley@littenekerlaw.com](mailto:Haley@littenekerlaw.com)>  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Hi Haley,

We have a board meeting on the 11<sup>th</sup> so that night doesn't work. Wednesday, September 13<sup>th</sup> does work though.

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**From:** Haley Gibson [<mailto:Haley@littenekerlaw.com>]  
**Sent:** Tuesday, August 29, 2017 11:44 AM  
**To:** Erin Butler  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Okay looks like next Tuesday doesn't work for everyone, we are now looking at September 11<sup>th</sup> or 13<sup>th</sup> would those dates work for you guys?

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

*Haley J. Gibson*

Legal Assistant to  
Edwin L. Litteneker  
[haley@littenekerlaw.com](mailto:haley@littenekerlaw.com)  
ph. 208.746.0344

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**From:** Erin Butler [<mailto:ebutler@sd273.com>]  
**Sent:** Tuesday, August 29, 2017 8:55 AM  
**To:** Haley Gibson <[Haley@littenekerlaw.com](mailto:Haley@littenekerlaw.com)>; 'Lynn Towne' <[ltowne@cdaschools.org](mailto:ltowne@cdaschools.org)>  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Thank you Haley for letting us know. We can reschedule for next Tuesday if that works for CDA.

---

**From:** Haley Gibson [<mailto:Haley@littenekerlaw.com>]  
**Sent:** Tuesday, August 29, 2017 8:19 AM  
**To:** 'Lynn Towne'; Erin Butler  
**Subject:** Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Lynne & Erin:

I am writing in regards to the Annexation Meeting scheduled for tonight regarding the Coeur d' Alene/Post Falls request. Unfortunately Ed is home sick with the flu and is not going to be able to make it up there tonight so we will need to reschedule, if everyone on your end is available we can reschedule for next Tuesday September 5, 2017 at the same time if Atlas is available then as well. Sorry for the short notice and inconvenience.

Sincerely,

*Haley J. Gibson*

Legal Assistant to  
Edwin L. Litteneker  
322 Main Street, P.O. Box 321  
Lewiston, Idaho 83501  
[haley@littenekerlaw.com](mailto:haley@littenekerlaw.com)  
ph. 208.746.0344 fax 208.798.8387

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BEFORE THE HEARING OFFICER FOR THE  
IDAHO DEPARTMENT OF EDUCATION

In the matter of the petition )  
Requesting the annexation of territory from )  
Lakeland Joint School District No. 272, )  
)  
)  
To the )  
)  
)  
Coeur d' Alene School District # 271, )  
)  
\_\_\_\_\_ )

NOTICE OF HEARING

The petitioners have presented to the School Board of the Lakeland Joint School District No. 272 and the Coeur d' Alene School District No. 271 a petition to excise territory presently within the Lakeland Joint School District and annex the territory into the Coeur d' Alene School District pursuant to Idaho Code § 33-308.

That the Hearing in this matter shall commence on Wednesday, September 13, 2017. The hearing will begin at 7:15 p.m. The Hearing will be held at Atlas Elementary, 157 W. Hayden Avenue, Suite 103, Hayden, Idaho 83835.

DATED this 11 day of September, 2017.



Edwin L. Litteneker  
Hearing Officer



RCV 6/16/17  
SDE



## Coeur d'Alene Public Schools

DISTRICT ADMINISTRATIVE CENTER  
1400 N. Northwood Center Court, Coeur d'Alene, ID 83814

OFFICE 208.664.8241  
FAX 208.664.1748  
www.cdaschools.org

June 12, 2017

Sherri Ybarra, Superintendent of Public Instruction  
Idaho State Department of Education  
PO Box 83720  
Boise, ID 83720-0027

Dear Superintendent Ybarra,

Please be advised that the Board of Trustees of Coeur d'Alene School District No. 271, at a duly noticed and constituted meeting held on June 5, 2017, reviewed the Petition of Petitioners, a copy of which is enclosed, before five members of the Board of Trustees. By motion, second and vote (4-1), the Board of Trustees approved the petitioner's request for annexation.

If you have additional questions, please feel free to contact me. Thank you.

Sincerely,

  
Lynn M. Towne  
Clerk of the Board

Enclosures: Petition for Annexation

**INVEST | INSPIRE | INNOVATE**

We invest in each student to prepare, challenge and advance  
well-educated, resilient and future-ready citizens.

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

Idaho State Department of Education  
May 30, 2017

GIOVANNI ESTATES SUBDIVISION      LEGAL DESC: HAYDEN LAKE IRR TRS AMENDED,  
S2-TR 243 Section 21 Township 51N Range 04W

ATTN: District Superintendent

RE:    Revised School District Boundaries  
      Lakeland School District Number 272 (proposed excised)  
      Coeur d'Alene School District Number 271 (proposed annexed)

Perfecta Valuation Services LLC/Nathaniel and Lindsey Grossglauser is requesting to annex their Hayden development Giovanni Estates / personal residence located at 9055 N Atlas Rd Hayden, ID 83835 into the Coeur d' Alene School District and to be excised from the Lakeland School District.

The key reasons for this request are outlined below:

- 1) The Giovanni Estates development exists within the City limits of Hayden, Idaho and is currently adjacent (three sides) to the Coeur D' Alene School District (see maps/exhibits). We currently have two children (ages 5 and 1) and would like them to attend nearby schools. Atlas Elementary is located less than 700' away from the development. All the other children/friends in the area attend these schools and it is an awfully long/very out of the way ride to Lakeland Schools. While this creates confusion amongst prospective home buyers, it also harms the sense of community, as families in our community may be pulled into differing school districts.
- 2) Home owners in the community would like the schools within their taxing district to get the benefit of their home ownership and tax revenue.
- 3) There is only one property adjacent to Giovanni Estates that is not in the CDA 271 School District, a single family residence on 5/aces to the south. All the homes to the north, west and east are all in CDA 271. Under the current alignment with the Lakeland School district, Lakeland buses would be required to go through neighborhoods that are all aligned with the Coeur d'Alene School District to reach Giovanni Estates. Relative to all adjacent communities, Giovanni Estates would be the only pocket community attending Lakeland Schools.

Additional children to potentially be introduced to the Coeur d' Alene School District:

- o Total number of lots within Giovanni Estates – 18 lots
- o Projected time for sale of all 18 homes - 1 year
- o Projected percentage of homes with children K-12 – 30-50%
- o Projected number of children residing in Giovanni Estates at completion 10-20.

Thank you very much for your time and consideration in the subject matter.

Nathaniel and Lindsey Grossglauser / Perfecta Valuation Services, LLC

9055 N Atlas Rd, Hayden, Idaho 83835



Lynn Towne &lt;ltowne@cdaschools.org&gt;

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**Registration**

1 message

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**Grace Studer** <gstuder@kcgov.us>  
To: Lynne Towne -CdA SD <LTowne@cdaschools.org>

Thu, Jun 1, 2017 at 2:08 PM

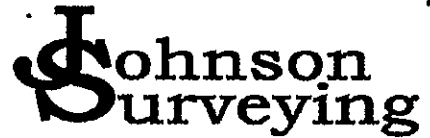
Lynne,

Nathaniel Grossglauser came in and dropped of his and Lindsey's Registration cards for a change of address. They are now Registered at 9055 N. Atlas Rd. in Hayden. If you have any further questions, please call the office.

Thanks,

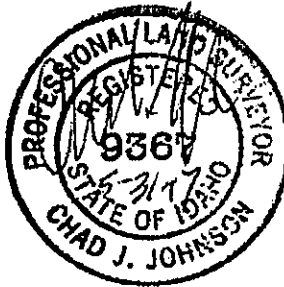
*Grace Studer**Elections Clerk**Kootenai County Elections**1808 N 3rd Street**PO Box 9000**Coeur d'Alene, ID 83816**phone: 208-446-1037**Fax: 208-446-2184*





GIOVANNI ESTATES

I Chad J. Johnson have prepared the exhibit's and amended the district boundary legal description for the above referenced project.



**Coeur d'Alene School District No. 271**

**THE BOARD OF TRUSTEES**

**1000P**

Boundaries of the Coeur d'Alene School District No. 271

Beginning at the north  $\frac{1}{4}$  corner of Sec. 5, Twp. 50 N, R 4 WBM; thence east approximately 1 mile to the north  $\frac{1}{4}$  corner of Sec. 4, said township and range; thence north approximately  $2\frac{1}{2}$  miles to the center of Sec. 21, Twp. 51 N, R 4 WBM; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of Sec. 21, said township and range; thence north approximately 661.0; thence West 1321.0 feet to the southwest corner of tract 244 of Hayden lake irrigated tracts; thence North a distance of 1327 to the northwest corner of Gianna Estates thence; East 658 to the northeast corner of Gianna Estates; thence North a distance of 332 feet to the northwest corner of Balser Estates; thence, East a distance of 655 feet to the intersection with the East line of Sec. 21, Twp. 51 N, R 4 WBM; thence north approximately  $\frac{9}{10}$  mile to the SW corner of Sec. 10, said township and range; thence east approximately  $1\frac{1}{2}$  miles to the south  $\frac{1}{4}$  corner of Sec. 11, said township and range; thence north to the center of said Sec. 11; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 11; thence north approximately  $\frac{1}{4}$  mile to the NW corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Sec. 12, said township and range; thence east approximately  $\frac{1}{2}$  mile to the NE corner of the SE  $\frac{1}{4}$  corner of the NW  $\frac{1}{4}$  of said Sec. 12; thence north approximately  $\frac{3}{4}$  mile to the center of Sec. 1, said township and range; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 1; thence north approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 51 N, R 3 WBM; thence east  $3\frac{1}{4}$  miles, more or less, to the center of Hayden Lake; thence north approximately 1 mile to the mouth of Hayden Creek; thence north along the center thread of Hayden Creek to the north boundary of Sec. 34, Twp. 52 N, R 3 WBM; thence east approximately  $2\frac{3}{4}$  miles to the NE corner of Sec. 36, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 36; thence east  $14\frac{1}{4}$  miles, more or less, to the Shoshone County line; thence south 5 miles, more or less, along the Kootenai-Shoshone County line to the SE corner of the SW  $\frac{1}{8}$  of Sec. 27, Twp. 51 N, R 1 EBM, on the Shoshone County line; thence west approximately  $8\frac{3}{4}$  miles to the north  $\frac{1}{4}$  corner of Sec. 31, Twp. 51 N, R 1 WBM; thence south approximately 7 miles to the south  $\frac{1}{4}$  corner of Sec. 31, Twp. 50 N, R 1 WBM; thence west approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 49 N, on the range line between Ranges 1 & 2 WBM; thence south 3 miles, more or less, to the SE corner of Sec. 13, Twp. 49 N, on the range line; thence west approximately 9 miles to the SW corner of Sec. 15, Twp. 49 N, R 3 WBM; thence north approximately  $\frac{1}{2}$  mile to the west  $\frac{1}{4}$  corner of said Sec. 15; thence west approximately  $1\frac{1}{2}$  miles to the center of Sec. 17, said township and range; thence north approximately  $1\frac{1}{2}$  miles to the south  $\frac{1}{4}$  corner of Sec. 5, said township and range; thence west  $1\frac{1}{2}$  miles, more or less, to the center of Coeur d'Alene Lake; thence south and west, continuing along the center thread of Coeur d'Alene Lake and Windy Bay to a point where it intersects the west line of Sec. 30, Twp. 48 N, R 4 WBM; thence north approximately  $2\frac{1}{2}$  miles to the SW corner of Sec. 7, said township and range; thence west approximately 1 mile to the SW corner of Sec. 12, Twp. 48 N, R 5 WBM; thence north approximately 5 miles to the NW corner of Sec. 24, Twp. 49 N, R 5 WBM; thence west approximately 1 mile to the NE corner of Sec. 22, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 22; thence west 4 miles, more or less, to the

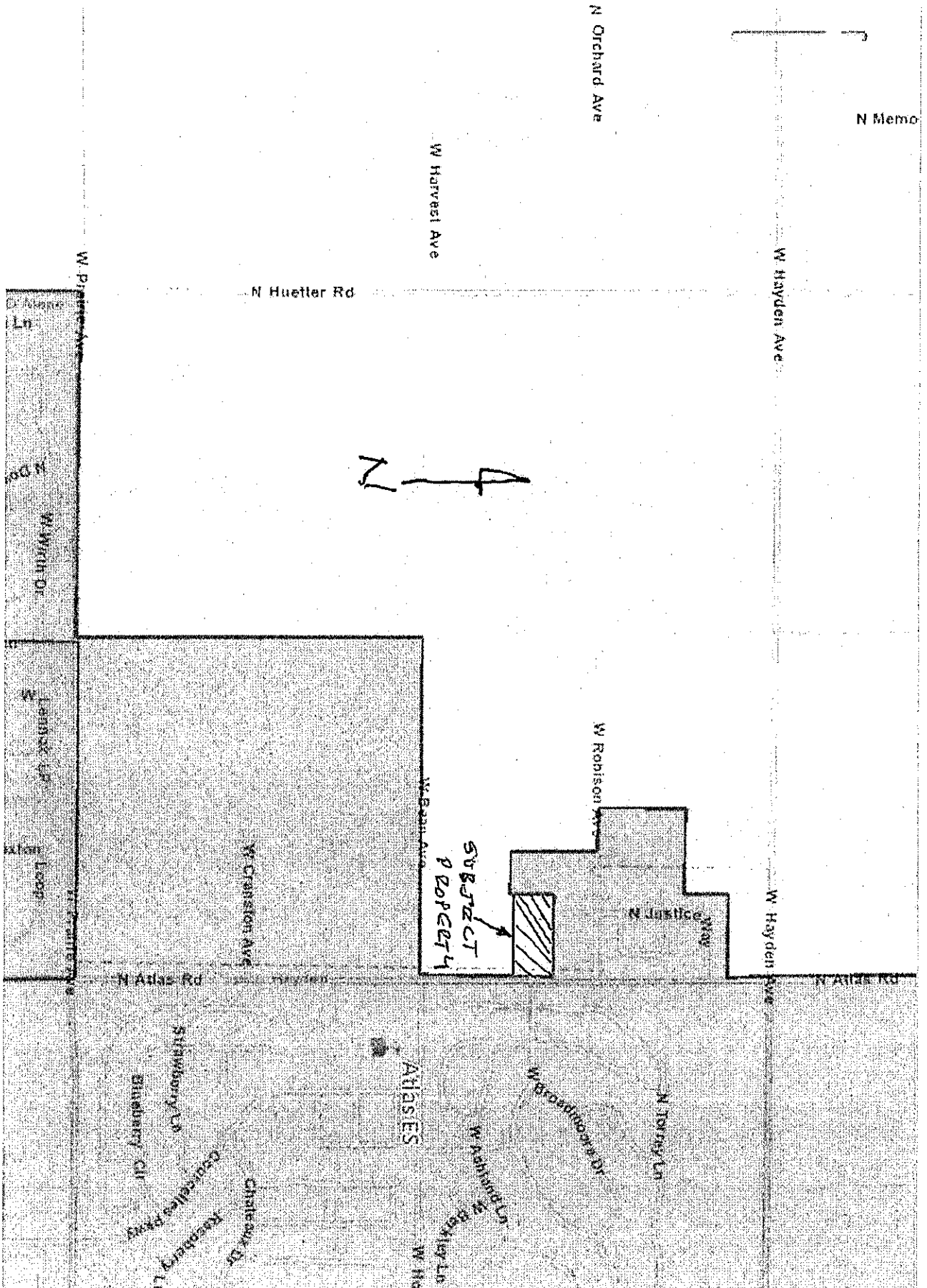
Washington-Idaho State line; thence north approximately 3½ miles to the west ¼ corner of Sec. 1, Twp. 49 N, R 6 WBM; thence east 1½ miles, more or less, to the center of Sec. 5, Twp. 49 N, R 5 WBM; thence south 1 mile to the center of Sec. 8, said township and range; thence east approximately 1½ miles to the east ¼ corner of Sec. 9, said township and range; thence north approximately 2½ miles to the NW corner of Sec. 33, Twp. 50 N, R 5 WBM; thence east ½ mile to the north ¼ corner of said Sec. 33; thence north approximately 1 mile to the north ¼ corner of Sec. 28, said township and range; thence east approximately 2 miles to the north ¼ corner of Sec. 26, said township and range; thence north approximately ½ mile to the center of Sec. 23, said township and range; thence east approximately 1½ miles to the west ¼ corner of Sec. 19, Twp. 50 N, R 4 WBM; thence north 2 miles, more or less, to the center thread of the Spokane River; thence east 1½ miles, more or less, along the center thread of the Spokane River to a point where the river intersects the north-south center line of Sec. 8, Twp. 50 N, R 4 WBM; thence north 1½ miles, more or less, to the point of beginning.

This description reflects the changes implemented with the annexations approved and effective December 12, 2002 and December 27, 2012.

Policy History:

Adopted on: November 4, 2013

Revised on:

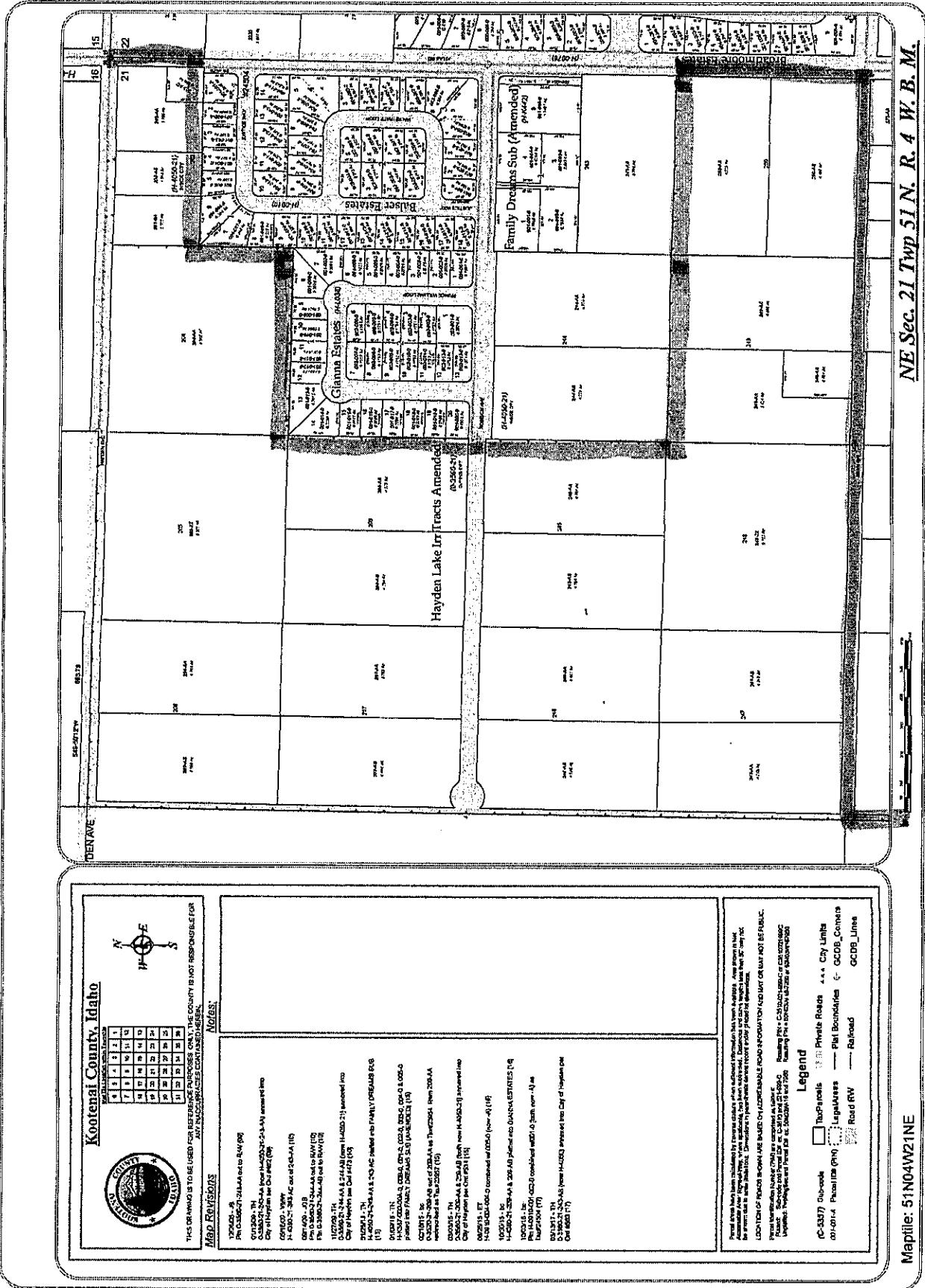




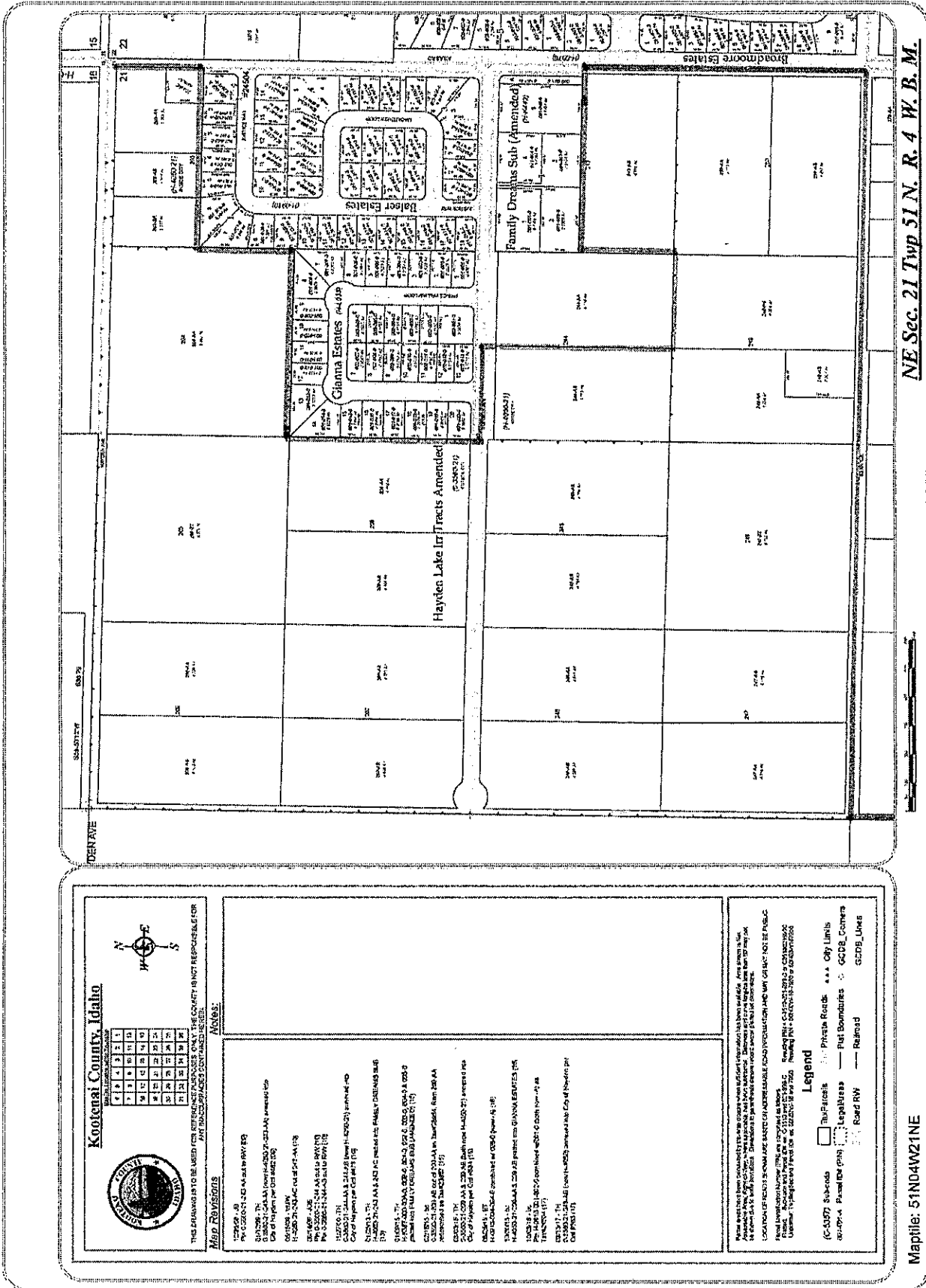




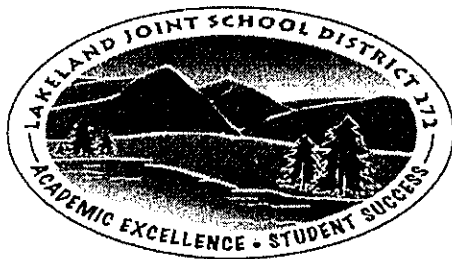
PROPOSED CDA - LAKELAND SCHOOL DISTRICT BOUNDARIES



EXISTING CDA - LAKELAND SCHOOL DISTRICT BOUNDARIES



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017



LAKELAND JOINT SCHOOL DISTRICT #272

15506 N. Washington Street P.O. Box 39

Rathdrum, Idaho 83858

Phone: 208.687.0431 Fax: 208.687.1884 Web: lakeland272.org

DOCUMENT RECEIVED

JUL 13 2017

State Department of Education

June 16, 2017

Department of Education  
Superintendent Sherri Ybarra  
PO Box 83720  
Boise, ID 83720-0027

Dear Superintendent Ybarra:

Pursuant to Idaho Code 33-308, we are forwarding to the State Board of Education a petition requesting excision of an area from Lakeland Joint School District 272 and annexation into the Coeur d'Alene School District 271.

The Lakeland Board of Trustees at their regular board meeting held on June 12, 2017 addressed the petition. All 4 members (the 5<sup>th</sup> seat is vacant) of the governing board were in attendance of this meeting. The Board denied the request for excision from the Lakeland Joint School District unanimously.

The Board would welcome any new students from this subdivision to attend the Lakeland Joint School District and would have no issues busing these students to the appropriate Lakeland School. Lakeland Joint School District has also developed a Long Range Planning Committee and is entertaining the possibility of building an additional school within the next 5 years on the south end of the district in order to accommodate growth that is once again occurring in the area.

If you should have any further questions, please don't hesitate to contact our office at 208-687-0431.

Respectfully,

Brook A. Cunningham  
Clerk of the Board

Enclosure: Annexation Request

*committed to academic excellence ... dedicated to student success*

Idaho State Department of Education  
May 30, 2017

GIOVANNI ESTATES SUBDIVISION      LEGAL DESC: HAYDEN LAKE IRR TRS AMENDED,  
S2-TR 243 Section 21 Township 51N Range 04W

ATTN: Dr. Becky Meyer

RE:    Revised School District Boundaries  
      Lakeland School District Number 272 (proposed excised)  
      Coeur d'Alene School District Number 271 (proposed annexed)

Perfecta Valuation Services LLC/Nathaniel and Lindsey Grossglauser is requesting to annex their Hayden development Giovanni Estates / personal residence located at 9055 N Atlas Rd Hayden, ID 83835 into the Coeur d' Alene School District and to be excised from the Lakeland School District.

The key reasons for this request are outlined below:

- 1) The Giovanni Estates development exists within the City limits of Hayden, Idaho and is currently adjacent (three sides) to the Coeur D' Alene School District (see maps/exhibits). We currently have two children (ages 5 and 1) and would like them to attend nearby schools. Atlas Elementary is located less than 700' away from the development. All the other children/friends in the area attend these schools and it is an awfully long/very out of the way ride to Lakeland Schools. While this creates confusion amongst prospective home buyers, it also harms the sense of community, as families in our community may be pulled into differing school districts.
- 2) Home owners in the community would like the schools within their taxing district to get the benefit of their home ownership and tax revenue.
- 3) There is only one property adjacent to Giovanni Estates that is not in the CDA 271 School District, a single family residence on 5/acre to the south. All the homes to the north, west and east are all in CDA 271. Under the current alignment with the Lakeland School district, Lakeland buses would be required to go through neighborhoods that are all aligned with the Coeur d'Alene School District to reach Giovanni Estates. Relative to all adjacent communities, Giovanni Estates would be the only pocket community attending Lakeland Schools.

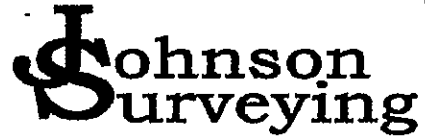
Additional children to potentially be introduced to the Coeur d' Alene School District:

- o Total number of lots within Giovanni Estates – 18 lots
- o Projected time for sale of all 18 homes - 1 year
- o Projected percentage of homes with children K-12 – 30-50%
- o Projected number of children residing in Giovanni Estates at completion 10-20.

Thank you very much for your time and consideration in the subject matter.

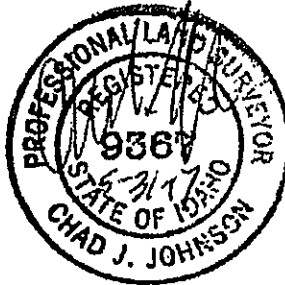
Nathaniel and Lindsey Grossglauser / Perfecta Valuation Services, LLC

9055 N Atlas Rd, Hayden, Idaho 83835



GIOVANNI ESTATES

I Chad J. Johnson have prepared the exhibit's and amended the district boundary legal description for the above referenced project.







**Coeur d'Alene School District No. 271**

**THE BOARD OF TRUSTEES**

**1000P**

Boundaries of the Coeur d'Alene School District No. 271

Beginning at the north  $\frac{1}{4}$  corner of Sec. 5, Twp. 50 N, R 4 WBM; thence east approximately 1 mile to the north  $\frac{1}{4}$  corner of Sec. 4, said township and range; thence north approximately  $2\frac{1}{2}$  miles to the center of Sec. 21, Twp. 51 N, R 4 WBM; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of Sec. 21, said township and range; thence north approximately 661.0; thence West 1321.0 feet to the southwest corner of tract 244 of Hayden lake irrigated tracts; thence North a distance of 1327 to the northwest corner of Gianna Estates thence; East 658 to the northeast corner of Gianna Estates; thence North a distance of 332 feet to the northwest corner of Balsler Estates; thence, East a distance of 655 feet to the intersection with the East line of Sec. 21, Twp. 51 N, R 4 WBM; thence north approximately  $\frac{9}{10}$  mile to the SW corner of Sec. 10, said township and range; thence east approximately  $1\frac{1}{2}$  miles to the south  $\frac{1}{4}$  corner of Sec. 11, said township and range; thence north to the center of said Sec. 11; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 11; thence north approximately  $\frac{1}{4}$  mile to the NW corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Sec. 12, said township and range; thence east approximately  $\frac{1}{2}$  mile to the NE corner of the SE  $\frac{1}{4}$  corner of the NW  $\frac{1}{4}$  of said Sec. 12; thence north approximately  $\frac{3}{4}$  mile to the center of Sec. 1, said township and range; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 1; thence north approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 51 N, R 3 WBM; thence east  $3\frac{1}{4}$  miles, more or less, to the center of Hayden Lake; thence north approximately 1 mile to the mouth of Hayden Creek; thence north along the center thread of Hayden Creek to the north boundary of Sec. 34, Twp. 52 N, R 3 WBM; thence east approximately  $2\frac{3}{4}$  miles to the NE corner of Sec. 36, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 36; thence east  $14\frac{1}{4}$  miles, more or less, to the Shoshone County line; thence south 5 miles, more or less, along the Kootenai-Shoshone County line to the SE corner of the SW  $\frac{1}{8}$  of Sec. 27, Twp. 51 N, R 1 EBM, on the Shoshone County line; thence west approximately  $8\frac{3}{4}$  miles to the north  $\frac{1}{4}$  corner of Sec. 31, Twp. 51 N, R 1 WBM; thence south approximately 7 miles to the south  $\frac{1}{4}$  corner of Sec. 31, Twp. 50 N, R 1 WBM; thence west approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 49 N, on the range line between Ranges 1 & 2 WBM; thence south 3 miles, more or less, to the SE corner of Sec. 13, Twp. 49 N, on the range line; thence west approximately 9 miles to the SW corner of Sec. 15, Twp. 49 N, R 3 WBM; thence north approximately  $\frac{1}{2}$  mile to the west  $\frac{1}{4}$  corner of said Sec. 15; thence west approximately  $1\frac{1}{2}$  miles to the center of Sec. 17, said township and range; thence north approximately  $1\frac{1}{2}$  miles to the south  $\frac{1}{4}$  corner of Sec. 5, said township and range; thence west  $1\frac{1}{2}$  miles, more or less, to the center of Coeur d'Alene Lake; thence south and west, continuing along the center thread of Coeur d'Alene Lake and Windy Bay to a point where it intersects the west line of Sec. 30, Twp. 48 N, R 4 WBM; thence north approximately  $2\frac{1}{2}$  miles to the SW corner of Sec. 7, said township and range; thence west approximately 1 mile to the SW corner of Sec. 12, Twp. 48 N, R 5 WBM; thence north approximately 5 miles to the NW corner of Sec. 24, Twp. 49 N, R 5 WBM; thence west approximately 1 mile to the NE corner of Sec. 22, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 22; thence west 4 miles, more or less, to the

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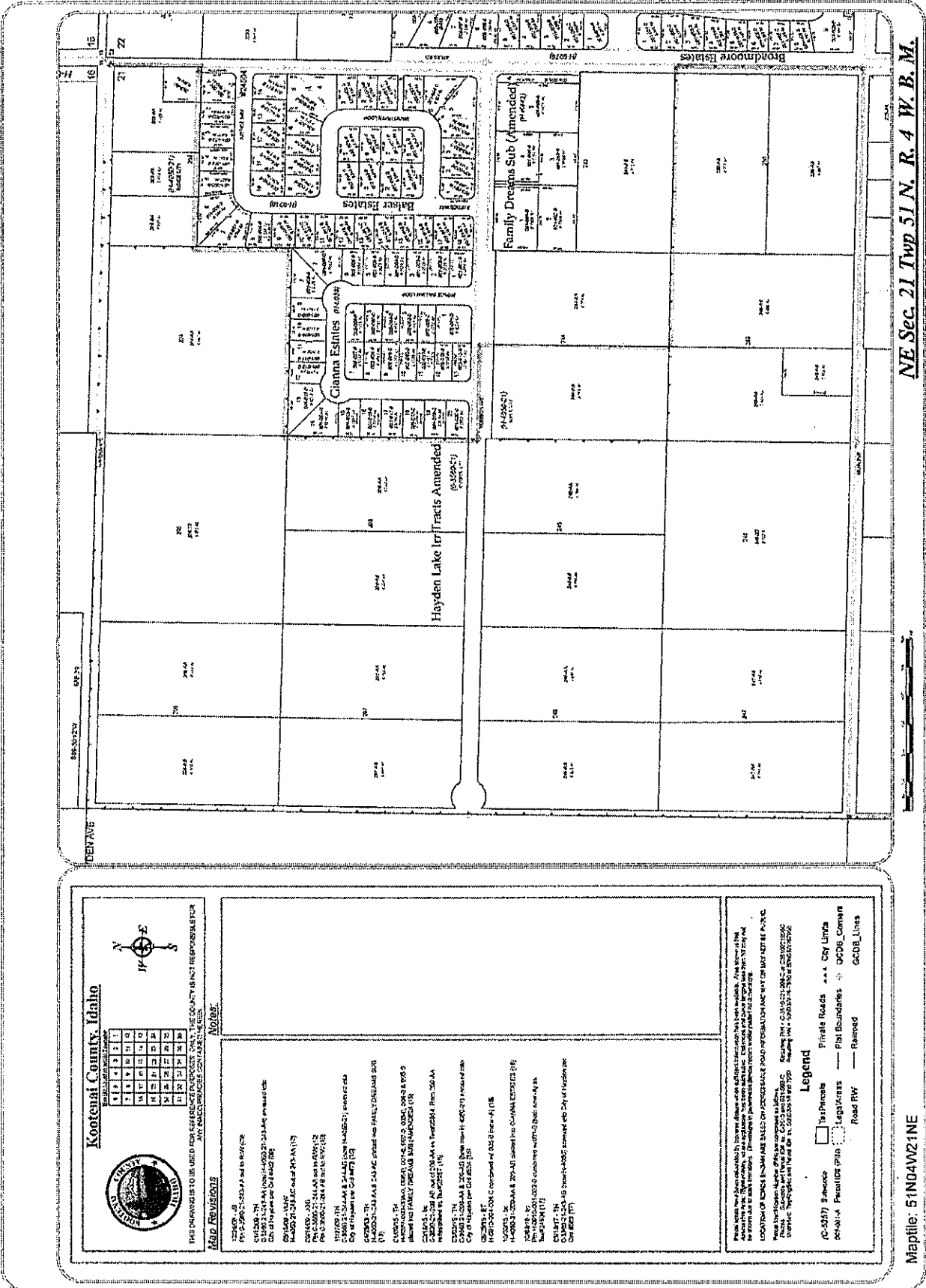
Policy History:

Adopted on: November 4, 2013

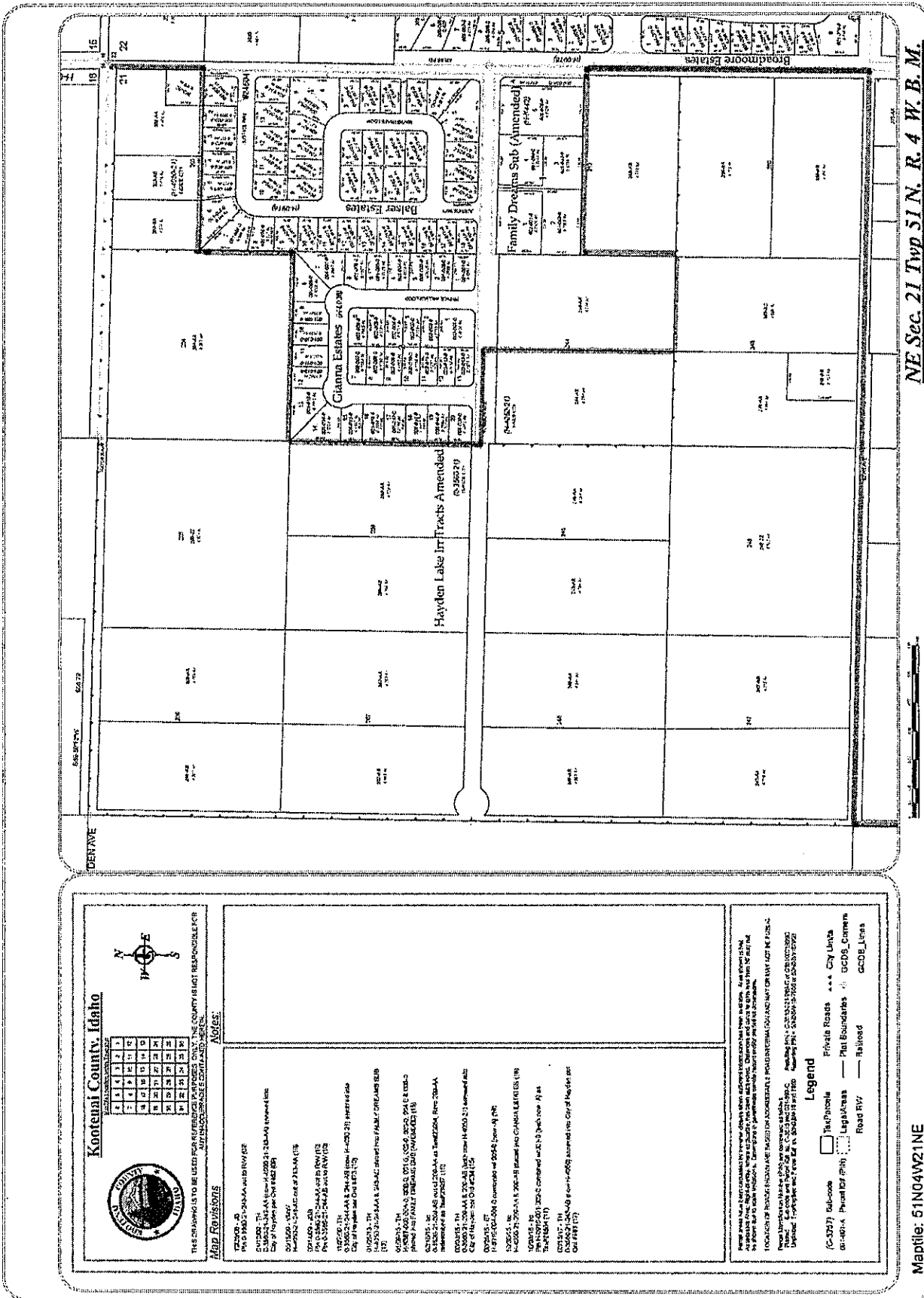
Revised on:



PROPOSED CDA - LAKELAND SCHOOL DISTRICT BOUNDARIES




EXISTING CDA - LAKELAND SCHOOL DISTRICT BOUNDARIES



NE Sec. 21 Twp 51 N. R. 4 W. B. M.

Mapfile: 61N04W21NE

**Kootenai County, Idaho**



THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE COUNTY IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. CONTACT THE COUNTY ENGINEER FOR MORE INFORMATION.

**Notes:**

1. ALL DISTRICT BOUNDARIES ARE BASED ON THE LATEST AVAILABLE RECORDS AND FIELD SURVEYS.

2. DISTRICT BOUNDARIES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

3. DISTRICT BOUNDARIES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

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9. DISTRICT BOUNDARIES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

10. DISTRICT BOUNDARIES ARE SUBJECT TO CHANGE WITHOUT NOTICE.

**Legend**

- (C-3737) Red-Line Private Roads
- (C-3737) Blue-Line City Limits
- (C-3737) Green-Line Private Roads
- (C-3737) Yellow-Line City Limits
- (C-3737) Purple-Line Private Roads
- (C-3737) Orange-Line City Limits
- (C-3737) Brown-Line Private Roads
- (C-3737) Grey-Line City Limits
- (C-3737) Black-Line Private Roads
- (C-3737) White-Line City Limits

SUPERINTENDENT OF PUBLIC INSTRUCTION'S ORDER UNDER IDAHO CODE  
SECTION 33-307 FOR CORRECTION OF SCHOOL DISTRICT BOUNDARIES

In the Matter of: )  
 )  
Coeur d'Alene School District No. 271 ) **FINAL ORDER**  
 )  
 )  
\_\_\_\_\_ )

This matter came before the Idaho State Board of Education ("Board") at its regularly scheduled meeting, June 14 - 15, 2017.

Having reviewed and considered all materials of record the Board found that the legal description for the Coeur d'Alene School District No. 271 boundary contained errors and that the corrected legal description should be that as described and depicted on **Exhibit A** attached hereto and incorporated herein by reference.

NOW, THEREFORE, pursuant to the authority granted in Idaho Code Section 33-307 the Superintendent of Public Instruction of the State of Idaho hereby orders that the legal description for the Coeur d'Alene School District No. 271 shall be as described on Exhibit A.

IT IS SO ORDERED.

DATED this 15th day of June, 2017.

IDAHO STATE BOARD OF EDUCATION

By *Sherri Ybarra*

Sherri Ybarra, Superintendent of Public Instruction

EXHIBIT A

**LEGAL DESCRIPTION**

**Coeur d'Alene School District No. 271**

Beginning at the north  $\frac{1}{4}$  corner of Sec. 5, Twp. 50 N, R 4 W BM; thence east approximately 1 mile to the north  $\frac{1}{4}$  corner of Sec. 4, said township and range; thence north approximately  $1\frac{1}{2}$  miles to the center of Sec. 28, Twp. 51 N, R 4 W BM; thence west approximately  $\frac{1}{2}$  mile to the west  $\frac{1}{4}$  corner of Sec. 28, said township and range; thence north approximately  $\frac{1}{2}$  mile to the SW corner of Sec. 21, said township and range; thence east approximately  $\frac{1}{2}$  mile to the south  $\frac{1}{4}$  corner of Sec. 21, said township and range; thence north  $\frac{1}{2}$  mile to the center of Sec. 21, Twp., 51 N, R 4 WBM; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of Sec. 21, said township and range; thence North approximately  $\frac{3}{16}$  mile to the SE corner of the north  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence west  $\frac{1}{8}$  mile to the SW corner of said north  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21 ; Thence south  $\frac{1}{16}$  mile to the SE corner of the east  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence west  $\frac{1}{16}$  mile to the SW corner of said east  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence north  $\frac{1}{8}$  mile to the NW corner of said east  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence west  $\frac{1}{16}$  mile to the SW corner of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence north  $\frac{1}{8}$  mile to the NW corner of said SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of sec. 21; Thence east  $\frac{1}{8}$  mile to the NE corner of said SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence north  $\frac{1}{16}$  mile to the NW corner of the south  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence east  $\frac{1}{8}$  mile to the NE corner of said south  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence north  $1\frac{1}{16}$  miles to the SW corner of Sec. 10, said township and range; thence east approximately  $1\frac{1}{2}$  miles to the south  $\frac{1}{4}$  corner of Sec. 11, said township and range; thence north to the center of said Sec. 11; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 11; thence north approximately  $\frac{1}{4}$  mile to the NW corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Sec. 12, said township and range; thence east approximately  $\frac{1}{2}$  mile to the NE corner of the SE  $\frac{1}{4}$  corner of the NW  $\frac{1}{4}$  of said Sec. 12; thence north approximately  $\frac{3}{4}$  mile to the center of Sec. 1, said township and range; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 1; thence north approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 51 N, R 3 WBM; thence east  $3\frac{1}{4}$  miles, more or less, to the center of Hayden Lake; thence north approximately 1 mile to the mouth of Hayden Creek; thence north along the center thread of Hayden Creek to the north boundary of Sec. 34, Twp. 52 N, R 3 WBM; thence east approximately  $2\frac{3}{4}$  miles to the NE corner of Sec. 36, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 36; thence east  $14\frac{1}{4}$  miles, more or less, to the Shoshone County line; thence south 5 miles, more or less, along the Kootenai-Shoshone County line to the SE corner of the SW  $\frac{1}{8}$  of Sec. 27, Twp. 51 N, R 1 EBM, on the Shoshone County line; thence west approximately  $8\frac{3}{4}$  miles to the north  $\frac{1}{4}$  corner of Sec. 31, Twp. 51 N, R 1 WBM; thence south approximately 7 miles to the south  $\frac{1}{4}$  corner of Sec. 31, Twp. 50 N, R 1 WBM; thence west approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 49 N, on the range line between Ranges 1 & 2 WBM; thence south 3 miles, more or less, to the SE corner of

Sec. 13, Twp. 49 N, on the range line; thence west approximately 9 miles to the SW corner of Sec. 15, Twp. 49 N, R 3 WBM; thence north approximately ½ mile to the west ¼ corner of said Sec. 15; thence west approximately 1 ½ miles to the center of Sec. 17, said township and range; thence north approximately 1 ½ miles to the south ¼ corner of Sec. 5, said township and range; thence west 1 1/2 miles, more or less, to the center of Coeur d'Alene Lake; thence south and west, continuing along the center thread of Coeur d'Alene Lake and Windy Bay to a point where it intersects the west line of Sec. 30, Twp. 48 N, R 4 WBM; thence north approximately 2 ½ miles to the SW corner of Sec. 7, said township and range; thence west approximately 1 mile to the SW corner of Sec. 12, Twp. 48 N, R 5 WBM; thence north approximately 5 miles to the NW corner of Sec. 24, Twp. 49 N, R 5 WBM; thence west approximately 1 mile to the NE corner of Sec. 22, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 22; thence west 4 miles, more or less, to the Washington-Idaho State line; thence north approximately 3½ miles to the west ¼ corner of Sec. 1, Twp. 49 N, R 6 WBM; thence east 1½ miles, more or less, to the center of Sec. 5, Twp. 49 N, R 5 WBM; thence south 1 mile to the center of Sec. 8, said township and range; thence east approximately 1½ miles to the east ¼ corner of Sec. 9, said township and range; thence north approximately 2 ½ miles to the NW corner of Sec. 33, Twp. 50 N, R 5 WBM; thence east ½ mile to the north ¼ corner of said Sec. 33; thence north approximately 1 mile to the north ¼ corner of Sec. 28, said township and range; thence east approximately 2 miles to the north ¼ corner of Sec. 26, said township and range; thence north approximately ½ mile to the center of Sec. 23, said township and range; thence east approximately 1½ miles to the west ¼ corner of Sec. 19, Twp. 50 N, R 4 WBM; thence north 2 miles, more or less, to the center thread of the Spokane River; thence east 1½ miles, more or less, along the center thread of the Spokane River to a point where the river intersects the north-south center line of Sec. 8, Twp. 50 N, R 4 WBM; thence north 1 ½ miles, more or less, to the point of beginning.

Approved: State Board of Education June 2017







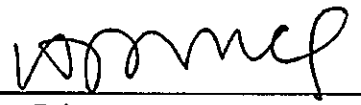
CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of July, 2017, I caused to be served the original copy of the foregoing SUPERINTENDENT OF PUBLIC INSTRUCTION'S ORDER UNDER IDAHO CODE SECTION 33-307 FOR CORRECTION OF SCHOOL DISTRICT BOUNDARIES by the method indicated below, and addressed to the following:

Coeur d'Alene School District No. 271  
Board of Trustees  
1400 N Northwood Center Court  
Coeur d'Alene ID 83814

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Statehouse Mail

By



Helen Price  
Program Specialist  
Idaho State Department of Education

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

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**SUBJECT**

Annexation/Excision Request – Coeur d’Alene School District (#271)/Post Falls School District (#273)

**REFERENCE**

April 2015

Board accepted the findings and conclusions issued by the hearing officer and approved the excision and annexation of property from the Post Falls School District to the Coeur d’Alene School District.

**APPLICABLE STATUTE, RULE, OR POLICY**

33-308, Idaho Code;  
Idaho Administrative Code, IDAPA 08.02.01.050

**BACKGROUND/DISCUSSION**

Allen Dykes, Chief Operating Officer of Architerra Homes, LLC, submitted a petition to the Coeur d’Alene and Post Falls School Districts requesting an excision of a real estate development known as The Trails from Post Falls School District 273, to be annexed to Coeur d’Alene School District 271. The Coeur d’Alene School District Board of Trustees considered the petition at its June 5, 2017 meeting and voted against recommendation of the petition by a vote of two (2) to three (3). The Post Falls School District Board of Trustees considered the petition at its June 12, 2017 meeting and took no action.

Section 33-308, Idaho Code, provides a process whereby the State Board of Education shall consider amendment of the boundaries of adjoining school districts and direct that an election be held, provided that the proposed excision and annexation is in the best interest of the children residing in the area described, and excision of the territory would not leave a school district with a bonded debt in excess of the limit prescribed by law. IDAPA 08.02.01.050 includes criteria for review of the petition by a hearing officer appointed by the Superintendent of Public Instruction for purposes of making recommendations to the State Board of Education.

Edwin Litteneker, Attorney at Law, was appointed as hearing officer for this petition. As the Coeur d’Alene School District had corrected its boundary through an action of the Board in June 2017, Department staff provided the corrected boundary information to the hearing officer along with the petition. A hearing on the matter was held on September 13, 2017, at Atlas Elementary School in Coeur d’Alene. Ten (10) people attended the hearing, including petitioner Allen Dykes, Jerry Keane, Superintendent of Post Falls School District, and Stan Olson, Interim Superintendent of Coeur d’Alene School District. On October 6, 2017, the State Department of Education received Mr. Litteneker’s Findings of Fact, Conclusions of Law and Recommendations, dated October 4, 2017.

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The findings of fact by the hearing officer include the following:

- The petition proposes to remove an area intended to be a residential development which is divided between the city of Coeur d'Alene and the City of Post Falls. The area proposed to be included in the Coeur d'Alene School District would include the entirety of The Trails subdivision and subsequent subdivisions planned to be developed over the next twelve (12) years. The developer of the property anticipates an estimated 40 homes constructed per year for twelve (12) years with an estimated sixteen (16) school aged children per year for a total of approximately 192 school aged children.
- Initially, there may only be one (1) school-aged student affected.
- The area proposed for annexation into the Coeur d'Alene School District is within 1000 feet of Atlas Elementary, Coeur d'Alene School District.
- The Post Falls School District acknowledges substantial growth in the area and anticipates building a neighborhood elementary school to service the anticipated student growth.
- The property owners present except for one (1) testified in favor of the petition.
- The Coeur d'Alene School District endorsed a collaborative process to reasonably and consistently adjust the boundary between the Coeur d'Alene and Post Falls School Districts. Post Falls School District agrees it makes sense to engage in a cooperative discussion about where the common boundaries should be.
- The excision would not leave the Post Falls School District with bonded indebtedness in excess of the amount provided by law.
- The petition is in the form required pursuant to Section 33-308, Idaho Code, and is signed by a sufficient number of electors. The legal descriptions were in a form required by Section 33-308, Idaho Code.

Conclusions of the hearing officer include the following:

- There is considerable concern that a continued piecemeal exchange in the respective boundaries between the Post Falls and Coeur d'Alene School Districts is not in anyone's best interests.
- The Post Falls District patrons were interested in the annexation to Coeur d'Alene School District based on proximity of the neighborhood to Atlas Elementary. However, at this time there are not a significant number of students residing in the Trails subdivision and attending the Post Falls School District.
- The Post Falls School District is prepared to construct a school within its boundaries adjacent to the Coeur d'Alene School District which can reasonably and timely serve this neighborhood as it develops.
- While the Coeur d'Alene School District has sufficient capacity and community support to serve the neighborhood, the Coeur d'Alene School District Board of Trustees' opposition to the petition weighs against the idea that the annexation is either in the interests of the students or is a suitable school setting for the potential students to be enrolled.
- It makes substantially more sense to permit the affected school districts to create a collaborative process whereby the respective school districts can resolve their common boundaries.

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The hearing officer determined that the record does not support the conclusion that the excision of the described property from Post Falls School District 273 and annexation to Coeur d'Alene School District 271 would be appropriate. Therefore, it is the hearing officer's recommendation that the petition for excision and annexation be denied.

The Clerk of the Board for the Coeur d'Alene School District has indicated that the Superintendents of the Coeur d'Alene, Lakeland, and Post Falls School Districts are currently discussing how to adjust district boundaries to benefit students as the county's population grows.

**IMPACT**

Should the recommendation of the hearing officer be accepted, the petition for annexation from the Post Falls School District to the Coeur d'Alene School District will be denied. Should the recommendation of the hearing officer be rejected, the petition shall be submitted for a vote by the school district electors residing in the area described in the petition.

**ATTACHMENTS**

Attachment 1 – Findings of Fact, Conclusions of Law and Recommendation, and all petition materials	Pages 5
Attachment 2 – Post Falls Recommendation	Page 22
Attachment 3 – Coeur d'Alene School District Recommendation	Page 42

**STAFF COMMENTS AND RECOMMENDATIONS**

Approval of the petition by the Board would allow for the proposal to be submitted to the school district electors residing in the area described for annexation/excision in the petition.

Pursuant to section 33-308, Idaho Code, the Board of Education shall approve proposals for excision and annexation if the proposal is in the best interest of the children residing in the area described in the petition and the excision of the area would not leave a school district with a bonded debt in excess of the limit prescribed by law. If either condition is not met the Board of Education must disapprove the proposal.

For a petition to be properly before the Board for consideration the petition must be from a Board of Trustees of the school district or from one-fourth (1/4) or more of the school district electors, residing in an area of not more than fifty (50) square miles within which there is no schoolhouse or facility necessary for the operation of a school district. The petition must contain:

- (a) The names and addresses of the petitioners;
- (b) A legal description of the area proposed to be excised from one (1) district and annexed to another contiguous district. Such legal description shall be prepared by a licensed attorney, licensed professional land surveyor or

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- licensed professional engineer professionally trained and experienced in legal descriptions of real property;
- (c) Maps showing the boundaries of the districts as they presently appear and as they would appear should the excision and annexation be approved;
  - (d) The names of the school districts from and to which the area is proposed to be excised and annexed;
  - (e) A description of reasons for which the petition is being submitted; and
  - (f) An estimate of the number of children residing in the area described in the petition.

The hearing officer findings indicate the excision of the territory, as proposed, would not leave a school district with a bonded debt in excess of the limits prescribed by law; however, there are no findings that excision and annexation is in the best interest of the children residing in the area described in the petition. According to the hearing officer findings, both required conditions have not been met. Pursuant to Section 33-308(4), Idaho Code if either condition is not met, the Board shall disapprove the proposal.

**BOARD ACTION**

I move to accept the recommendation of the hearing officer and to reject the petition for excision and annexation of property from Post Falls School District 273 to Coeur d'Alene School District 271.

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



**STATE DEPARTMENT OF EDUCATION  
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**BEFORE THE HEARING OFFICER FOR THE  
STATE BOARD OF EDUCATION**

In the matter of the petition requesting	)	
The excision of territory from	)	
Post Falls School District No. 273,	)	
	)	<b>FINDINGS OF FACT, CONCLUSIONS</b>
	)	<b>OF LAW AND RECOMMENDATION</b>
And annexing said territory into	)	
	)	
	)	
Coeur d' Alene School District No. 271,	)	
	)	
District.	)	
_____	)	

**INTRODUCTION**

A Hearing was conducted on September 13, 2017 by Hearing Officer, Edwin L. Litteneker, appointed by the State Board of Education for purposes of gathering public comment on a proposed change in the boundaries of the Post Falls School District No. 273 and the Coeur d' Alene School District No. 271. The Hearing commenced at 6:15 p.m. in the Library at the Atlas Elementary School in Coeur d' Alene, Idaho.

Idaho Code Section 33-308 provides for a process whereby the State Board of Education will consider the approval of a Petition to change the boundaries of adjoining school districts and may direct that an election be held, provided that the proposed excision and annexation is in the best interest of the children residing in the area described in the Petition. Additionally, the excision of the territory that is proposed should not leave the Post Falls School District with a bonded indebtedness in excess of the limit prescribed by law.

The Idaho State Board of Education has adopted rules at IDAPA 08.02.01.050 which include criteria for the review of the Petition for Excision and Annexation and a hearing process

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to gather public comment for purposes of the Hearing Officer making these recommendations to the State Board of Education.

Ten people attended the hearing on September 13, 2017. The Petitioner, Allen Dykes testified as well as the remaining persons in attendance. The Interim Superintendent of Coeur d' Alene School District No. 271, Dr. Olson and Dr. Keane, the Superintendent of the Post Falls School District No. 273 also provided testimony. The Sign in Sheet is made part of the Record which is transmitted separately in the Transmittal of the Record.

Dr. Keane submitted exhibits including a June 9, 2017 statement to the Post Falls Board of Trustees, Exhibit 1 and a petition proposing the revision of I.C. § 33-308 submitted to the Idaho School Board Association, Exhibit 2. Written comments were also received from Garry Nystrom which are identified as Exhibit. 3. The exhibits are also included in the Record.

The proceedings were recorded and a recording of the hearing is separately transmitted digitally to the State Board of Education and also referenced in the Transmittal of the Record.

**FINDINGS OF FACT**

1. A Petition to excise property from the Post Falls School District No. 273 was presented by Allen Dykes, Chief Operating Officer, Architerra Homes, LLC requesting that a real estate development known as The Trails be annexed into the Coeur d' Alene School District and excised from the Post Falls School District.
2. The Petition proposes to remove an area which is intended to be a residential development which is divided between the City of Coeur d' Alene and the City of Post Falls. The area proposed to be included in the Coeur d' Alene School District would include the entirety of The Trails and subsequent subdivisions which are planned to be developed over the next twelve years. The Developer of The Trails anticipates that there would be an estimated forty

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homes constructed per year for twelve years with an estimated sixteen school aged children added per year for a total of approximately 192 school aged children.

3. Initially, though, there may only be one school aged Student who would presently attend school in the Post Falls School District.
4. The area proposed for annexation into the Coeur d' Alene School District is within 1000 feet of Atlas Elementary, Coeur d' Alene School District.
5. The Post Falls School District Board of Trustees met and considered the Petition to Excise the area. The School Board took no position on the proposed excision, See Exhibit 1.
6. The Coeur d' Alene School District considered the Petition on June 5, 2017 and by a vote of two to three defeated a Motion to recommend approval of the request. Effectively the decision of the Board of Trustees then was to not recommend that the annexation occur.
7. The Post Falls School District acknowledges the substantial growth in the area and anticipates building a neighborhood elementary school to service the anticipated student growth.
8. The property owners except for one property owner testified overwhelming testified in favor of the Petition,.
9. The Coeur d' Alene School District endorsed a collaborative process to reasonably and consistently adjust the boundary between the Coeur d' Alene School District and the Post Falls School District. The Post Falls School District joined in the analysis that it made substantially more sense to engage in a cooperative discussion about where the common boundaries should be.
10. The excision would not leave the Post Falls School District with a bonded indebtedness in excess of the amount provided by law.

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11. The Record reflects that the Petition is in the form required pursuant to I.C. § 33-308 and is signed by a sufficient number of electors. The legal descriptions were in a form required by I.C. § 33-308.

**CONCLUSIONS**

1. IDAPA 08.02.01.050. requires a review of the proposed alteration of a District's boundaries that takes into account specific facts which are discussed above.
2. Based on this Record, the annexation as proposed does not leave the Post Falls School District with a bonded indebtedness in excess of the amount provided by law.
3. However, there is a considerable concern that a continued piecemeal change in the respective boundaries of the Post Falls and Coeur d' Alene School Districts is not in anyone's best interests.
4. The Post Falls School District patrons were interested in the annexation into the Coeur d' Alene School District based upon the proximity of the neighborhood to Atlas Elementary within the Coeur d' Alene School District. However, at this time there are not a significant number of Students attending in Post Falls School and residing in The Trails.
5. The Post Falls School District is prepared to construct a school within its boundaries adjacent to the Coeur d' Alene School District which can reasonably and timely serve this neighborhood as it develops.
6. The Coeur d' Alene School District apparently has sufficient capacity and community support to serve this neighborhood adjacent to the Atlas Elementary School. However, the District's opposition to the proposed annexation weighs against the idea that the annexation is either in the interests of the students or is a suitable school setting for the potential students to be enrolled.

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7. It makes substantially more sense to permit the affected school districts to create a collaborative process whereby the respective school districts can resolve their common school district boundaries, prior to submitting the Petition to the parties within the area to be annexed.

**RECOMMENDATION**

The Record does not support a conclusion that the excision of the described land from the Post Falls School District #273 to be annexed into the Coeur d' Alene School District #271 would be appropriate.

Therefore, it is recommended to the State Board of Education that the petition for excision and annexation be denied.

DATED this 4 day of October, 2017.



Edwin L. Litteneker  
Hearing Officer

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

I DO HEREBY CERTIFY that a true  
And correct copy of the foregoing  
Document was:

Mailed by regular first class mail,  
And deposited in the United States  
Post Office

Sent by facsimile.

Sent by Federal Express, overnight  
Delivery

Hand delivered

To:

Helen Price  
Program Specialist, Board Materials & Rules  
Idaho State Department of Education  
650 W State Street, 2<sup>nd</sup> Floor  
Boise, Idaho 83702

On this 4 day of October, 2017.



Edwin L. Litteneker

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DECEMBER 20, 2017**

Memorandum

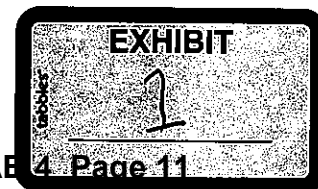
To: Board of Trustees  
From: Jerry Keane, Superintendent  
Date: June 9, 2017  
Subject: Trails Excision Petition

We have received a revised submission of an Excision Request Petition from a group entitled "School District #271- Annexation Request". As we discussed during our October meeting, a portion of residents in an area that is located in the Trails Housing Subdivision are requesting that they excise themselves from the Post Falls School District and become part of the Coeur d' Alene School District. Rationale given for the proposed move is that they are residents of the City of Coeur d' Alene and logically feel like they are part of the Coeur d' Alene community.

The current law related to the changing of school district boundaries, Idaho Code § 33-308, allows for residents to request an excision from one district to another using the following process:

- Submit a petition to each of the involved School District Board of Trustees. The petition must include legal descriptions of the area in question, maps of both districts with and without the area in question, an estimate of the number of children residing in the area, and the petition must be signed by 25% of the electors residing in the area in question.
- The Boards must transmit the petition, with recommendations, to the State Department of Education no later than 10 days after the first regular meeting held subsequent to the receipt of the petition.
- The State Department of Education forwards the petition to the State Board of Education for consideration.
- The State Board of Education shall approve the proposal provided:
  - a. The excision and annexation is in the best interest of the children residing in the area described in the petition; and
  - b. The excision of the territory, as proposed, would not leave a school district with a bonded debt in excess of the limit then prescribed by law.
- If the State Board of Education approves the petition, the electors residing in the area will participate in an election.

The initial analysis of the submitted excision petition indicates that the petitioners have fulfilled the minimum requirements of the law regarding the contents of the petition. More detail of the process is outlined in the enclosed ID § 33-308. As we discussed previously, there is no provision in the law to allow school districts to reject or decline the petition.



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REVISION OF IDAHO CODE § 33-308

Submitted by the Post Falls School District #273

**WHEREAS**, Idaho Code § 33-308 allows a neighborhood to petition to excise themselves from one school district to another; and

**WHEREAS**, A petition must be submitted to each of the involved School District Boards of Trustees. The petition must include legal descriptions of the area in question, maps of both districts with and without the area in question, an estimate of the number of children residing in the area, and the petition must be signed by 25% of the electors residing in the area in question. The Boards must transmit the petition, with recommendations, to the State Department of Education. The affected local Board of Trustees are involved in only an advisory way.

**WHEREAS**, the State Board of Education will ultimately decide whether or not to allow an election of only the electors that reside in the area that the excision/annexation petition covers.

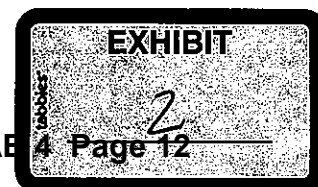
**WHEREAS**, the area for excision is part of a property value that establishes local property taxes for all taxpayers in the school district where they reside; including, taxes for any voter approved bonded indebtedness, school plant facility levies or supplemental levies.

**WHEREAS**, if the voters in the area seeking excision from one district to another vote to leave their current district it will automatically increase the taxes for all of the remaining district tax payers that were not allowed an opportunity to vote. The remaining Post Falls School District taxpayers had their taxes increased by 6 cent per thousand when a neighborhood left the district to join a neighboring school district. Idaho law requires a vote of all district patrons in order for a district to increase school property taxes with the exception of Idaho Code § 33-308. The decision to leave one district to join another will also have an impact on the receiving district's property taxes as well.

**WHEREAS**, the affected district taxpayers are disenfranchised. The patrons of the district that the neighborhood left for another district had their taxes increased by a small group of electors. Idaho requires a vote of all electors before allowing a school district to tax property owners.

**WHEREAS**, Idaho Code § 33-308 requires that submitted excision petitions be considered by the school district(s) no later than ten (10) days after its first regular meeting held subsequent to the receipt of the petition.

**NOW THEREFORE BE IT RESOLVED**, that the Idaho School Board Association supports the revision of Idaho Code §33-308 due to the unintended consequences of disenfranchising district taxpayers and the unreasonably short timeline for districts to consider petitions. § 33-308 should allow all district taxpayers, of both districts involved in an excision/annexation process, the opportunity to vote in an election, not just a small minority. Allowing all district taxpayers in both districts the opportunity to vote in an excision/annexation election will protect all taxpayers from having their taxes increased or impacted without their permission. The potential excision of real property in the taxpayer's district would reduce property value in said district that would automatically cause the remaining district taxpayer's school taxes to be increased. Also, the allotted time frame for a district to respond to a submitted excision petition should be increased to allow sufficient time to research the impact of the petition and to get input from district patrons and the current process unfairly penalizes taxpayers in the district impacted by an excision.





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Haley Gibson

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**From:** radar250@aol.com  
**Sent:** Monday, September 11, 2017 9:13 AM  
**To:** msouza@senate.idaho.gov; hprice@sde.idaho.gov; Haley Gibson  
**Cc:** ebutler@sd273.com; jkeane@sd273.com  
**Subject:** September 11, 2017 Hearing

To Senator Souza, Ms Price and the attorney holding the hearing.

Senator Souza, I believe here is a prime example of wasted taxpayer dollars. Today, there will be a hearing, one where neither the school districts knowing they have stakeholders interested in the attending and others knowing the same thing decided to make scheduling arrangement which at best did not serve the public interest. Additionally, I question if this is required to be a public meeting, meaning should have it been place in the press with notice as it will affect a much larger group other than just the people living in the Trails subdivision.

In fact Senator Souza, Mr. McGuire who lives within my subdivision has even made a comment that it appears that a decision has already been determined by reading some of the e-mails which I have shared. And yes, he too is very concerned we have the same attorney doing this hearing who did the last hearing involving the West Landings.

Now for Haley and Jerry Keane as well as Senator Souza and Ms Price.

I do not even believe this hearing should be taking place. The Coeur d' Alene School District voted against taking this subdivision in when it met a few months ago. So the school district where the subdivision wants to send their children says they cannot handle them. So why does the State think they know better and then will take on this request and as the developer has said, "we will take our chances with the Board of Education." Does the State really know better than those who run the schools? I don't think so.

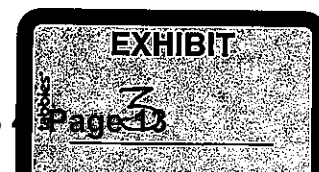
So, now let's talk education. Are Coeur d' Alene Schools better? I believe the answer is no. I personally know of an individual who has sent two daughters to Coeur d' Alene and one son to Post Falls and he believes there is no difference. I believe that Post Falls offers just as good of an education as the rest of the schools around here, so I believe that is no justification for them to leave the district.

City impact: While the Coeur d' Alene discussed them being within the City area of impact, Coeur d' Alene currently has property which is within the Post Falls area of impact. If we want to change subdivision base on what city they are in, then the State should review Coeur d' Alene's property and consider a change too. I would suggest we take up that measure after the 2020 census. We could also work to have both school boards as well as citizen from each district come up with a new border and submit it to the voter of each district. Meaning, we might consider giving up the Trails, but we could take equal property value which is in the City of Post Falls already.

I approve that these type of request to leave the district need to go away. I believe this is a misused process where only a few and in one other case, there was only one vote casted. Coeur 'd Alene has been there own worst enemy as they are taking on other subdivision from other districts. This needs to stop. Many cities have more than one water district, irrigation district, etc. Those living in the Trail and in fact the West Landings knew from the very first date they were in Post Falls District. If they didn't like it, then they shouldn't have bought in there. But it is not right for the Post Falls taxpayers to keep having \$30 million here, \$45 million here in property values leaving the district. If I want to leave Avista, I would have to do a buyout and maybe school districts should have the same.

So, since CDA has said no, the State should honor that and let it be addressed at a later date where just maybe both districts can agree on something.

Gary Nystrom



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

**Haley Gibson**

---

**From:** radar250@aol.com  
**Sent:** Thursday, August 31, 2017 2:20 PM  
**To:** ebutler@sd273.com  
**Cc:** Haley Gibson  
**Subject:** Re: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Erin

Thanks. I have read Haley comments, however, even she is missing the point. My point is that we don't have to have the meeting just at Atlas school. We can have it in many places. I also believe this should be considered a public hearing and the entire public should have a right to participate. However, I believe that those who are scheduling these things are only considering school board officials and maybe the developer who wants out. I believe each one of those in scheduling this meeting have not considered there are others who want the chance to voice their opinion, but I found the comment about how Haley believes other taxpayers don't count.

Just because Haley thinks we can submit something in writing often does not give the same impact if you give it in person. As you know, I don't believe Post Falls School District interest is the same Ron McGuire and I have. It showed when the district gave a no recommendation to this request.

It's hard to give a written comment to something you haven't heard. At a hearing, you can listen, take notes and respond. I even question since this is the same attorney who ruled on the West Landings, are we even going to get a fair hearing in the first place.

I believe we can find other open dates. I consider this a matter which impacts not only the Trails subdivision, but other taxpayers and we are not advertising this hearing.

Erin, I sent an e-mail to Senator Souza regarding some issues regarding this entire process. If you have any questions, call me.

Gary Nystrom  
aka Radar

-----Original Message-----

**From:** Erin Butler <ebutler@sd273.com>  
**To:** 'radar250@aol.com' <radar250@aol.com>  
**Sent:** Thu, Aug 31, 2017 10:07 am  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Gary,

As you can see from the email chain, September 5<sup>th</sup> did not work for CDA and the next available options were September 11<sup>th</sup> or September 13<sup>th</sup>. Our board meeting is on the 11<sup>th</sup> so that is how they landed on the 13<sup>th</sup> for rescheduling.

We would be happy to submit for the record any information you would like to provide for the hearing. Please let me know if you would like to do so.

Thank you, Erin

**From:** [radar250@aol.com](mailto:radar250@aol.com) [<mailto:radar250@aol.com>]  
**Sent:** Wednesday, August 30, 2017 5:34 PM  
**To:** Erin Butler  
**Cc:** [haley@litteneckerlaw.com](mailto:haley@litteneckerlaw.com); [msouza@senate.idaho.gov](mailto:msouza@senate.idaho.gov)  
**Subject:** Re: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

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

Erin,

This date does not work for me as I will be attending medical treatments in California. I believe, we need to have a voice and changing the date so we can't provide our input is very unfair. I and another friend of ours already believe the process has so far been unfair. I have cc: Senator Souza as she believed we should come out and voice our views. I was ready on the date it was scheduled the first time.

Gary Nystrom  
aka Radar

-----Original Message-----

From: Erin Butler <[ebutler@sd273.com](mailto:ebutler@sd273.com)>  
To: 'radar250@aol.com' <[radar250@aol.com](mailto:radar250@aol.com)>  
Sent: Wed, Aug 30, 2017 10:03 am  
Subject: FW: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Hi Gary,

The Excision Hearing is rescheduled for Wednesday, September 13<sup>th</sup> at 6:15pm at Atlas Elementary.

---

**From:** Haley Gibson [<mailto:Haley@littenekerlaw.com>]  
**Sent:** Wednesday, August 30, 2017 8:13 AM  
**To:** Erin Butler  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Thanks Erin,

We are all set for September 13, 2017 at 6:15 p.m.

*Haley J. Gibson*

Legal Assistant to  
Edwin L. Litteneker  
[haley@littenekerlaw.com](mailto:haley@littenekerlaw.com)  
ph. 208.746.0344

---

**From:** Erin Butler [<mailto:ebutler@sd273.com>]  
**Sent:** Tuesday, August 29, 2017 11:54 AM  
**To:** Haley Gibson <[Haley@littenekerlaw.com](mailto:Haley@littenekerlaw.com)>  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Hi Haley,

We have a board meeting on the 11<sup>th</sup> so that night doesn't work. Wednesday, September 13<sup>th</sup> does work though.

---

**From:** Haley Gibson [<mailto:Haley@littenekerlaw.com>]  
**Sent:** Tuesday, August 29, 2017 11:44 AM  
**To:** Erin Butler  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Okay looks like next Tuesday doesn't work for everyone, we are now looking at September 11<sup>th</sup> or 13<sup>th</sup> would those dates work for you guys?

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

*Haley J. Gibson*

Legal Assistant to  
Edwin L. Litteneker  
[haley@littenekerlaw.com](mailto:haley@littenekerlaw.com)  
ph. 208.746.0344

---

**From:** Erin Butler [<mailto:ebutler@sd273.com>]  
**Sent:** Tuesday, August 29, 2017 8:55 AM  
**To:** Haley Gibson <[Haley@littenekerlaw.com](mailto:Haley@littenekerlaw.com)>; 'Lynn Towne' <[ltowne@cdaschools.org](mailto:ltowne@cdaschools.org)>  
**Subject:** RE: Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Thank you Haley for letting us know. We can reschedule for next Tuesday if that works for CDA.

---

**From:** Haley Gibson [<mailto:Haley@littenekerlaw.com>]  
**Sent:** Tuesday, August 29, 2017 8:19 AM  
**To:** 'Lynn Towne'; Erin Butler  
**Subject:** Post Falls/Coeur d' Alene Annexation Meeting Tonight @6:15

Lynne & Erin:

I am writing in regards to the Annexation Meeting scheduled for tonight regarding the Coeur d' Alene/Post Falls request. Unfortunately Ed is home sick with the flu and is not going to be able to make it up there tonight so we will need to reschedule, if everyone on your end is available we can reschedule for next Tuesday September 5, 2017 at the same time if Atlas is available then as well. Sorry for the short notice and inconvenience.

Sincerely,

*Haley J. Gibson*

Legal Assistant to  
Edwin L. Litteneker  
322 Main Street, P.O. Box 321  
Lewiston, Idaho 83501  
[haley@littenekerlaw.com](mailto:haley@littenekerlaw.com)  
ph. 208.746.0344 fax 208.798.8387

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STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

SIGN IN SHEET

Hearing on Petition to excise territory from Post Falls School District No. 273  
And annex said territory into Coeur d' Alene, School District No. 271  
Atlas Elementary  
September 13, 2017

Name	Address	Will you be offering live testimony?
ALLEN DYKES	1859 N. LAKEWOOD, Suite 200, CDA	Yes No
Barbara Yeager	6828 N Hargraves Dr CDA ID 83815	Yes No
RONNIE DAVISSON	6905 N RANDEZVONS DR CDA 83815	Yes No
KATIE CHAFFIN	6814 HARGRAVES RD, CDA 83815	Yes No
STAN OLSON	215 E. INDIANA, CDA, 83814	Yes No
Chris R Shipley	23721 E Maxwell Liberty Lake 99017	Yes No
JERRY KEANE	216 E 1st Post Falls, ID, 83854	Yes No
Beau Myers	7062 N. Rendezvous Dr CA 83815	Yes No
Leslie THOMAS Holt	6976 N. RANDEZVONS DR. CDA 83815	Yes No
Tori Myers	7062 N. Rendezvous Dr CDA 83815	Yes No
		Yes No
		Yes No
		Yes No
		Yes No
		Yes No
		Yes No
		Yes No
		Yes No
		Yes No

BEFORE THE HEARING OFFICER FOR THE  
IDAHO DEPARTMENT OF EDUCATION

In the matter of the petition )  
Requesting the annexation of territory from )  
Post Falls School District No. 273, )  
)  
)  
To the )  
)  
)  
)  
Coeur d' Alene School District # 271, )  
)  
\_\_\_\_\_ )

AMENDED  
NOTICE OF HEARING

The petitioners have presented to the School Board of the Post Falls School District No. 273 and the Coeur d' Alene School District No. 271 a petition to excise territory presently within the Post Falls School District and annex the territory into the Coeur d' Alene School District pursuant to Idaho Code § 33-308.

That the Hearing in this matter shall commence on Wednesday, September 13, 2017. The hearing will begin at 6:15 p.m. The Hearing will be held at Atlas Elementary, 157 W. Hayden Avenue, Suite 103, Hayden, Idaho 83835.

DATED this 11 day of September, 2017.



Edwin L. Litteneker  
Hearing Officer

BEFORE THE HEARING OFFICER FOR THE  
IDAHO DEPARTMENT OF EDUCATION

In the matter of the petition )  
Requesting the annexation of territory from )  
Post Falls School District No. 273, )  
)  
)  
To the )  
)  
)  
Coeur d' Alene School District # 271, )  
)  
\_\_\_\_\_ )

NOTICE OF HEARING

The petitioners have presented to the School Board of the Post Falls School District No. 273 and the Coeur d' Alene School District No. 271 a petition to excise territory presently within the Lakeland Joint School District and annex the territory into the Coeur d' Alene School District pursuant to Idaho Code § 33-308.

That the Hearing in this matter shall commence on Wednesday, September 13, 2017. The hearing will begin at 6:15 p.m. The Hearing will be held at Atlas Elementary, 157 W. Hayden Avenue, Suite 103, Hayden, Idaho 83835.

DATED this 11 day of September, 2017.



Edwin L. Litteneker  
Hearing Officer

DISTRICT 271

EXISTING BOUNDARIES

# 271 & # 273

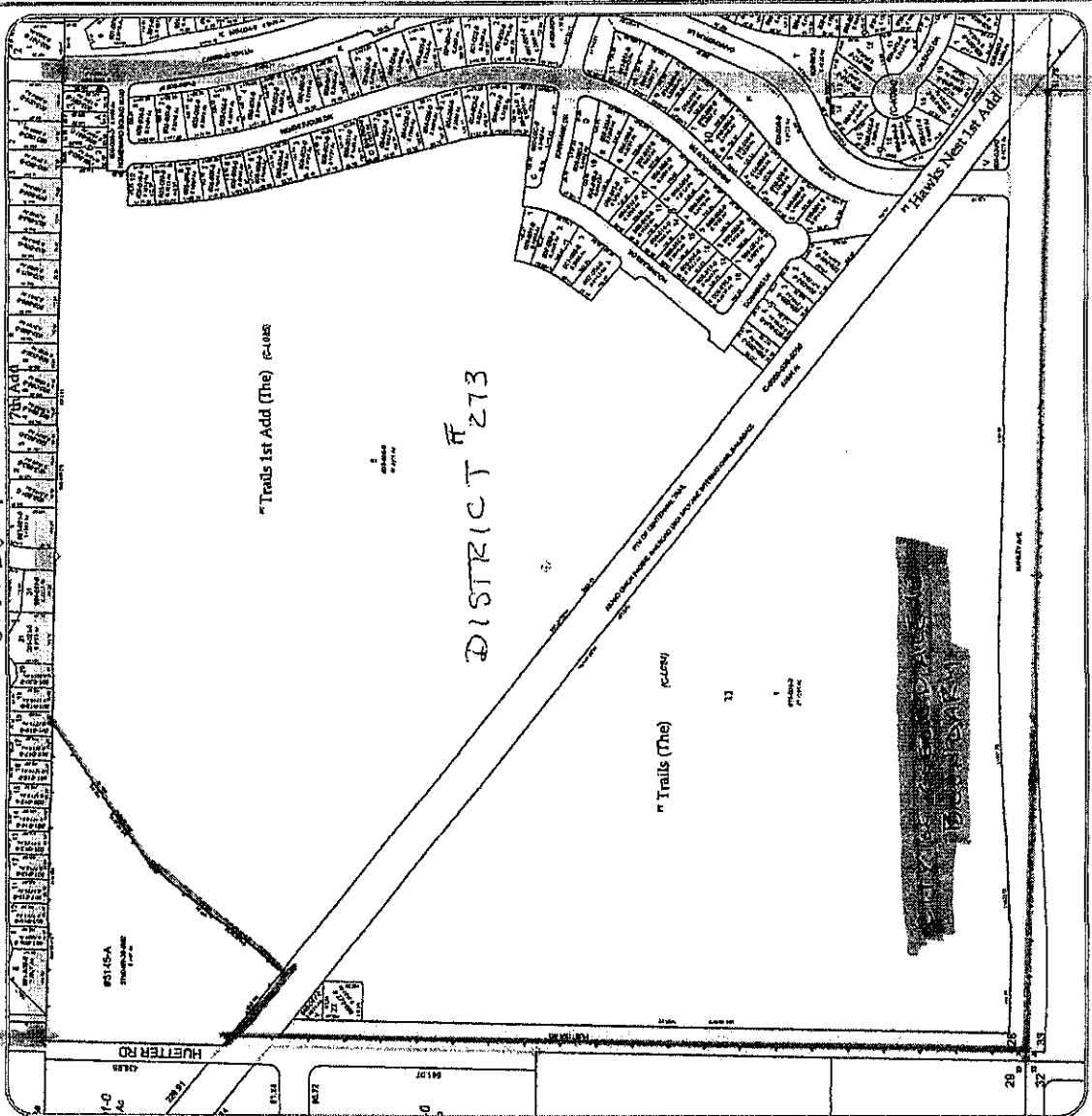
DISTRICT 271

"Trails 1st Add (The) (cont)


DISTRICT # 273

"Trails (The) (cont)

SW Sec. 28 Twp 51 N. R. 4 W. B. M.



**Kootenai County, Idaho**



THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY. THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES OR OMISSIONS.

**Map Revisions**

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40

LOCATED BY: [Name]  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 DATE: [Date]

**Legend**

- Sub-roads
- Private Roads
- City Limits
- Parcels (shaded)
- Legislative
- GCDS - County
- Road RW
- Railroad
- GCDS - Lines

Partial road shown being deleted is shown as broken lines with open heads. Area shown to be deleted is shown as broken lines with closed heads. Deleted and open boundaries are shown as broken lines with open heads. Deleted and closed boundaries are shown as broken lines with closed heads.

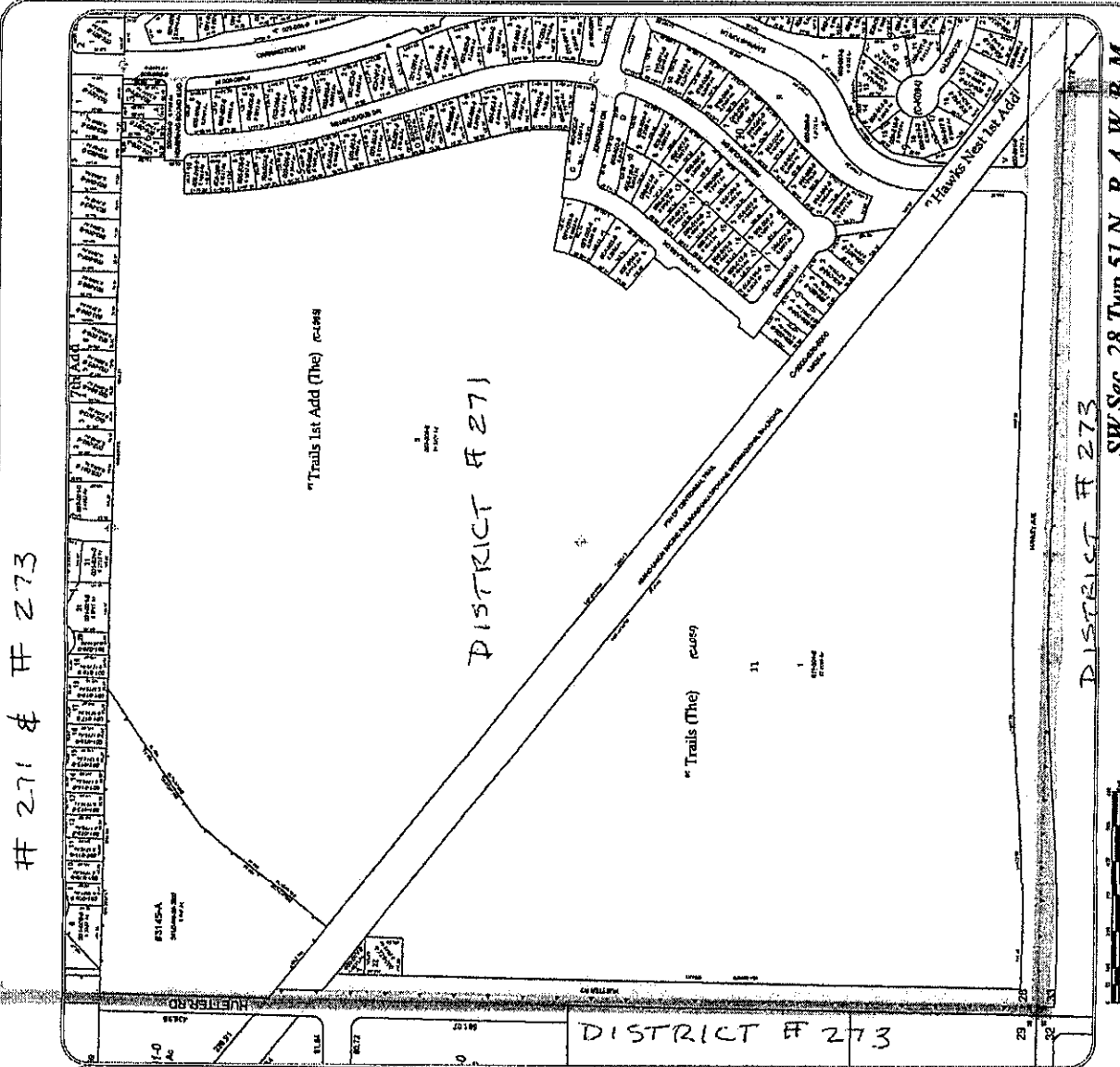
LOCATION OF PARCELS SHOWN ARE SUBJECT TO SURVEYABLE RECORD INFORMATION AND NOT GUARANTEED BY PUBLIC. Parcel boundaries are shown as broken lines with open heads. Boundary lines are shown as broken lines with closed heads. Deleted and open boundaries are shown as broken lines with open heads. Deleted and closed boundaries are shown as broken lines with closed heads.

Mapfile: 51N04W28SW



PROPOSED BOUNDARIES

# 271 & # 273



DISTRICT # 273  
 SW Sec. 28 Twp 51 N. R. 4 W. B. M.

**Kootenai County, Idaho**

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**Map Revisions**

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50

SYMBOLS:  
 (C-3317) Bar-codes  
 (P-3317) Private Roads  
 (R-3317) Railroads  
 (S-3317) City Limits  
 (T-3317) City Limits  
 (U-3317) City Limits  
 (V-3317) City Limits  
 (W-3317) City Limits  
 (X-3317) City Limits  
 (Y-3317) City Limits  
 (Z-3317) City Limits

**Notes:**

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2. ANY INACCURACIES CONTAINED HEREIN ARE THE RESPONSIBILITY OF THE CLIENT.

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10. ANY INACCURACIES CONTAINED HEREIN ARE THE RESPONSIBILITY OF THE CLIENT.

**Legend**

- (C-3317) Bar-codes
- (P-3317) Private Roads
- (R-3317) Railroads
- (S-3317) City Limits
- (T-3317) City Limits
- (U-3317) City Limits
- (V-3317) City Limits
- (W-3317) City Limits
- (X-3317) City Limits
- (Y-3317) City Limits
- (Z-3317) City Limits

Mapfile: 61N04W28SW

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

DOCUMENT RECEIVED

Post Falls School District No. 273  
Regular Meeting  
June 12, 2017

JUN 19 2017

State Department of Education

6:00pm  
River City Middle School

- Call meeting to order: Chair Dave Paul called the meeting to order at 6:00pm. The following Board members were present at roll call: Bonnie Beaulieu, Michelle Lippert, Bridget Eismann, and Carol Goodman.
- Also present were Superintendent Jerry Keane, Director of Programs and Instruction Dena Naccarato, Director of Business Services Sid Armstrong, Director of Business Services Wendy Lee and Clerk Erin Butler.
- Pledge of Allegiance: Trustee Eismann led the Pledge of Allegiance.
- Public Comment: Gary Nystrom, 7094 W. Big Sky Dr., commented on the excision petition from The Trails subdivision.
- Approve Agenda: Motion by Trustee Eismann to amend the agenda to add the resignation of Terry Lou Wall and Jennifer Cleave to the Consent Calendar. The motion was seconded by Trustee Beaulieu and passed with a unanimous roll call aye vote.
- Motion by Trustee Lippert with a second by Trustee Goodman to approve the agenda as amended passed with a unanimous roll call aye vote.
- Approve Consent Calendar: Motion by Trustee Goodman with a second by Trustee Lippert to approve the Consent Calendar passed with a unanimous roll call aye vote.
- Trustee Comments: Trustee Lippert commented on the Awards Banquet and NVHS and PFHS Graduations.
- Trustee Goodman commented on the Awards Banquet, NVHS and PFHS Graduations and the PFHS Senior Awards Night.
- Trustee Eismann commented on the 5<sup>th</sup> grade Forestry field trip she attended, the Living Museum and the NVHS and PFHS Graduations.
- Trustee Beaulieu commented on attending National Jr. Honor Society induction for RCMS and PFMS as well as graduation ceremonies for PFHS and NVHS.
- Chair Paul commented on the Idaho History Rendezvous with GES and PES as well as the NVHS and PFHS Graduations. He also praised Superintendent Keane for the wonderful job he does for the school district.
- Superintendent Comments: Amber Steele Poelstra gave the PFEA building report. Jerry Keane commented on the Senior Awards Night scholarships and welcomed Wendy Lee to her first board meeting.
- Special Reports: Dena Naccarato introduced Mike Yovetich and Scott Ross who gave their building site reports.
- Consideration of Action Items: Sid Armstrong presented the fiscal year 2018 budget for Board consideration. Motion by Trustee Lippert with a second by Trustee Beaulieu to approve the budget for fiscal year 2018 passed with a unanimous roll call aye vote.
- Jerry Keane presented information regarding an excision request from The Trails subdivision. The Board chose to take no action regarding this petition.

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

Jerry Keane asked for Wendy Lee to be appointed as Post Falls School District Treasurer on all accounts. Motion by Trustee Lippert with a second by Trustee Goodman to appoint Wendy Lee as Post Falls School District Treasurer passed with a unanimous roll call aye vote.

Adjournment:

Motion by Trustee Beaulieu with a second by Trustee Eismann to adjourn passed with a unanimous roll call aye vote. The meeting was adjourned at 7:49pm.

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Approved

Attest:

---

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

March 9, 2017

Idaho State Department of Education  
650 West State Street  
PO Box 83720  
Boise, ID 83720-0027

RE: School District #271 – Annexation Request

Dear Governing Members,

I am writing as the homeowner of 6828 N Hourglass Drive, Coeur d'Alene, ID 83815 which is located in The Trails subdivision. As a taxpayer in the City of Coeur d'Alene, I pay \$2.31 towards school taxes but do not have any benefit of that tax. Please note that I am in favor of supporting schools and education. Unfortunately, any children that currently or may in the future, live on the West side of Rendezvous Drive, Hourglass Drive, and on Downing Lane and future planned streets within The Trails, do not currently have any benefit to the Coeur d'Alene School District #271.

The current impact of adding The Trails subdivision to the school district would be 1 (one) elementary aged child. And, as we all are very aware, the School Board is lobbying for a new elementary school this area of town which will be voted on this month by our community. And, certainly adding one desk for an in-district child would be a minimal impact on the education capacity.

I do not have any children, nor does the other resident of the existing occupied homes in this area of The Trails subdivision, Carol Flynn at 6759 N Rendezvous Drive, Coeur d'Alene, ID 83815. Given The Trails is currently in the first year of home introduction to the market which is planned for a 10-year build-out, and to the best of my knowledge the majority of homes occupied to date with school aged children is under 20%, I do not believe it is unreasonable to ask that the entire subdivision be annexed into School District #271.

This is not dis-similar to the recent April 2016 annexation of school age children into School District #271 from Post Falls who live in The Landings subdivision which is immediately North of The Trails subdivision. The precedent has been set and the immediate impact from The Trails neighborhood would only be 1 vs 100 students which was the impact with the previously mentioned 2016 annexation.

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

Should you not choose to represent the residents of the City, perhaps you could remove the School Taxes from my Real Estate Tax bill and I would be happy to pay for the Post Falls School Tax instead to the City of Post Falls instead, wherein, I am guaranteed a benefit!

Thank you for your consideration to my request.

Best regards,



Barbara Yeager

(208) 819-1973

[barb@barbyeager.com](mailto:barb@barbyeager.com)

Home:

6828 N Hourglass Dr  
Coeur d'Alene, ID 83815

Mailing:

212 W Ironwood Dr D135  
Coeur d'Alene, ID 83814

cc: Architerra Homes, LLC



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017



ARCHITERRA  
— HOMES —

*Where Life Happens.*

State Department of Education  
April 12th, 2017

THE TRAILS SUBDIVISION

ATTN: Brian Wallace  
RE: Revised School District Boundaries  
Post Falls School District Number 273  
Coeur d'Alene School District Number 271

Dear Mr. Wallace:

Architerra Homes is requesting to annex their Coeur d'Alene development, *The Trails*, into the Coeur d'Alene School District and to be excised from the Post Falls School District.

The key reasons for this request are outlined below:

- 1) The Trails development exists within the City limits of Coeur d'Alene, Idaho and is currently split between the Post Falls and Coeur D'Alene School Districts. While this creates confusion amongst prospective home buyers, it also harms the sense of community Architerra is attempting to create, as families in our community may be pulled into differing school districts.
- 2) Home owners in the community would like the schools within their taxing district to get the benefit of their home ownership and tax revenue.
- 3) There is not currently direct access into The Trails community from/through Post Falls. Under the current alignment with the Post Falls School district, Post Falls buses would be required to head North into Coeur d'Alene, up to Prairie Avenue, and then south through neighborhoods that are all aligned with the Coeur d'Alene School District. Relative to all adjacent communities, The Trails would be the only pocket community attending Post Falls Schools.

Currently, the school district boundary line between Coeur d'Alene & Post Falls takes a small jog to the East of Huetter (just north of Poleline). For easier bus transportation routes and neighborhood cohesiveness, Architerra Homes proposes a boundary line clean-up/straightening, so that Huetter Road becomes the E/W boundary line.

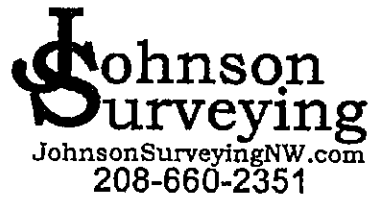
As far as additional children to potentially be introduced to the Coeur d'Alene School District:

- o Total number of lots within the Trails community – 470 lots
- o Projected absorption (sales) rate per year – 40 homes
- o Projected percentage of homes with children K-12 – 20%
- o Projected number of households with children added each year – 8 homes

Using these assumptions, we anticipate eight households per year having school age children. It should be noted that this exceed the percentage of sold homes in our community with children. These assumptions would translate to 16 additional children per year - based on a count of two children per household.

Allen Dykes  
Chief Operating Officer  
Architerra Homes, LLC

SDE



State Department of Education

September 27, 2016

THE TRAILS SUBDIVISION

ATTN: Brian Wallace

RE: Revised School District Legal Descriptions

Post Falls School District Number 273

Coeur d'Alene School District Number 271

Dear Mr. Wallace:

I have prepared a legal description of the property to be excised from Post Falls School District and simultaneously annexed to Coeur d'Alene school District. This description was signed and sealed by me in accordance with the requirements of Idaho Statute 33-308 (2)(b).

The attached descriptions, one for each school district either to be excised or annexed, The existing District boundaries were prepared 'by others'. The revisions to each description are blanked out and I have attached the portion to be inserted into the new boundaries if approved. Those revisions reflect the appropriate changes to each description for the land exchange between districts.

Although I have not reviewed the entire descriptions, I did prepare the legal description revisions and they accurately depict the addition/omission of the Trails and the Trails 1<sup>st</sup> addition property which was described in my legal description.

If you have any further question or comment on this matter feel free to contact our office at your earliest convenience.

Very Truly Yours,

Johnson Surveying, LLC

A handwritten signature in black ink, appearing to read 'Chad Johnson', is written over the printed name.

Chad Johnson, PLS

208-660-2351

Johnsonsurveying@yahoo.com



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

STATE DEPARTMENT OF EDUCATION  
EXHIBIT "A"

"THE TRAILS & THE TRAILS 1<sup>ST</sup> ADDITION"

TO BE EXCISED FROM DITRICT 273

A PARCEL OF LAND BEING THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 51 NORTH, RANGE 04 WEST, BOISE MERIDIA N, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO.

BEING MORE PARTICULARLY DEESCRIBED AS FOLLOWS:

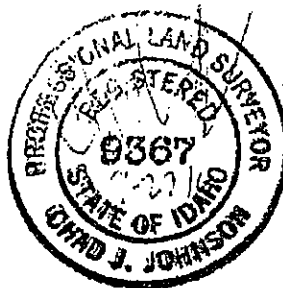
**BEGINNING:** AT THE WEST QUARTER OF SAID SECTION 28 BEING A FOUND 5/8 INCH REBAR WITH AN ILLEGIBLE CAP PER CP&F INSTRUMENT 975684;

THENCE, ALONG THE COMMON BOUNDARY OF SCHOOL DISTRICTS 273 AND 271, S 88°56'16"E A DISTANCE OF 2639.67 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 28 MARKED BY A 2" ALUMNINUM CAP PER CP&F INSTRUMENT NUMBER 2525374000;

THENCE, CONTINUING ALONG SAID COMMON SCHOOL DISTRICTS BOUNDARY, S 01°22'04"W A DISTANCE OF 2658.32 FEET TO A FOUND P.K. NAIL MARKING THE SOUTH QUARTER CORNER OF SECTION 28 PER CP&F INSTRUMENT NUMBER 1781922;

THENCE, LEAVING SAID COMMON SCHOOL DISTRICTS BOUNDARY, N 88°39'10"W A DISTANCE OF 2627.35 FEET TO A FOUND 2 INCH ALUMINUM CAP MARKING THE SOUTHWEST CORNER OF SECTION 28 PER CP&F INSTRUMENT NUMBER 1671560 IN THE CENTERLINE OF HUETTER ROAD;

THENCE, ALONG THE CENTERLINE OF HUETTER ROAD, N 01°06'06"E A DISTANCE OF 2645.22 FEET TO THE TRUE POINT OF BEGINNING.



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

STATE DEPARTMENT OF EDUCATION  
EXHIBIT "A"

"THE TRAILS & THE TRAILS 1<sup>ST</sup> ADDITION"

TO BE ANNEXED TO DITRICT 271

A PARCEL OF LAND BEING THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 51 NORTH, RANGE 04 WEST, BOISE MERIDIA N, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO.

BEING MORE PARTICULARLY DEESCRIBED AS FOLLOWS:

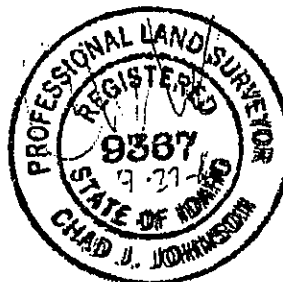
**BEGINNING:** AT THE WEST QUARTER OF SAID SECTION 28 BEING A FOUND 5/8 INCH REBAR WITH AN ILLEGIBLE CAP PER CP&F INSTRUMENT 975684;

THENCE, ALONG THE COMMON BOUNDARY OF SCHOOL DISTRICTS 273 AND 271, S 88°56'16"E A DISTANCE OF 2639.67 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 28 MARKED BY A 2" ALUMNINUM CAP PER CP&F INSTRUMENT NUMBER 2525374000;

THENCE, CONTINUING ALONG SAID COMMON SCHOOL DISTRICTS BOUNDARY, S 01°22'04"W A DISTANCE OF 2658.32 FEET TO A FOUND P.K. NAIL MARKING THE SOUTH QUARTER CORNER OF SECTION 28 PER CP&F INSTRUMENT NUMBER 1781922;

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THENCE, ALONG THE CENTERLINE OF HUETTER ROAD, N 01°06'06"E A DISTANCE OF 2645.22 FEET TO THE TRUE POINT OF BEGINNING.



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017  
STATE DEPARTMENT OF EDUCATION  
APRIL 16, 2015

~ Post Falls School District (AS AMENDED) ~

**Post Falls School District No. 273**

Legal District Boundary Description

February 1, 2011

Beginning at the NW corner of the NE ¼ of Section 20 T51N R5W and going east to the NE corner of Section 24 T51N R5W, then south to the NE corner of the S ½ of said section, then east to the NE corner of the SW ¼ of Section 21 T51N R4W, ~~then south to the NE corner of the W ½ of section 28 T51N R4W, then west to the NW corner of said section, then south to the NW corner of the S ½ of said section, then east to the NE corner of the SW ¼ of said section,~~ then south to the SE corner of the W ½ of Section 33 T51N R4W, then west to the NE corner of the W ½ of Section 5 T50N R4W, then south to the point where the east edge of the W ½ of Section 8 T50N R4W meets the Spokane River, then westerly down the Spokane River taking the north channel by the island in Section 8 T50N R4W to the point where the Spokane River touches the eastern border of Section 12 T50N R4W, then south to the SE corner of the N ½ of Section 24 T50N R5W, then west to the SE corner of the NW ¼ of Section 23 T50N R5W, then south to the SE corner of the SW ¼ of said section, then west to the NE corner of the W ½ of Section 28 T50N R5W, then south to the SE corner of the W ½ of said Section, then west to the SW corner of said section, then south to the SE corner of Section 32 T50N R5W, then east to the NE corner of Section 4 T49N R5W, then south to the SB corner of the N ½ of Section 9 T49N R5W, then west to the SW corner of the NE ¼ of Section 8 T49N R5W, then north to the SW corner of the NE ¼ of Section 5 T49N R5W, then west to the SW corner of the N ½ of Section 1 T49N R6W, then north to the NW corner of Section 36 T51N R6W, then east to the NW corner of Section 32 T51N R5W, then north to the SW corner of the NW ¼ of Section 20 T50N R5W, then east to the SE ¼ of the NW ¼ of said Section, then north to the point of beginning.

SEE ATTACHED  
AMENDMENT

Erin Butler  
Clerk of the Board  
PH: 773-1658  
FX: 773-3218  
ebutler@sd273.com

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

**AMENDMENT TO LEGAL DESCRIPTION  
DISTRICT # 273**

**THEN SOUTH TO THE SW CORNER OF SECTION 28, T 51 N, R 4W, THEN EAST TO THE SE CORNER OF THE  
SW QUARTER OF SECTION 28, THEN**

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

STATE DEPARTMENT OF EDUCATION  
APRIL 16, 2015

~ Coeur D'Alene School District ~

Coeur d'Alene School District No. 271

THE BOARD OF TRUSTEES

1000P

Boundaries of the Coeur d'Alene School District No. 271

1

SEE ATTACHED  
AMENDMENT

thence east approximately  $\frac{1}{2}$  mile to the south  $\frac{1}{4}$  corner of Sec. 21, said township and range; thence north approximately ~~2 1/4 miles~~  $\frac{1}{2}$  mile to the center of Sec. 21, Twp. 51 N, R. 4 WBM said township and range; thence east approximately  $\frac{1}{4}$  mile to the east  $\frac{1}{4}$  corner of Sec. 21, said township and range; thence north approximately  $\frac{3}{10}$  mile to a point on the existing North right-of-way line of Robison Avenue thence along said North right-of-way line, N  $88^{\circ} 35' 46''$  W a distance of 628.61 feet to a point; thence leaving said right-of-way, N  $00^{\circ} 49' 57''$  E a distance of 973.13 feet to a point; thence, S  $88^{\circ} 30' 58''$  E a distance of 628.61 feet to the existing West right-of-way of Atlas Road; thence north approximately  $\frac{9}{10}$  mile to the SW corner of Sec. 10, said township and range; thence east approximately  $1\frac{1}{4}$  miles to the south  $\frac{1}{4}$  corner of Sec. 11, said township and range; thence north to the center of said Sec. 11; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 11; thence north approximately  $\frac{1}{4}$  mile to the NW corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Sec. 12, said township and range; thence east approximately  $\frac{1}{2}$  mile to the NE corner of the SE  $\frac{1}{4}$  corner of the NW  $\frac{1}{4}$  of said Sec. 12; thence north approximately  $\frac{1}{4}$  mile to the center of Sec. 1, said township and range; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 1; thence north approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 51 N, R 3 WBM; thence east  $3\frac{1}{2}$  miles, more or less, to the center of Hayden Lake; thence north approximately 1 mile to the mouth of Hayden Creek; thence north along the center thread of Hayden Creek to the north boundary of Sec. 34, Twp. 52 N, R 3 WBM; thence east approximately  $2\frac{1}{4}$  miles to the NE corner of Sec. 36, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 36; thence east  $14\frac{1}{4}$  miles, more or less, to the Shoshone County line; thence south 5 miles, more or less, along the Kootenai-Shoshone County line to the SE corner of the SW  $\frac{1}{8}$  of Sec. 27, Twp. 51 N, R 1 EBM, on the Shoshone County line; thence west approximately  $8\frac{1}{4}$  miles to the north  $\frac{1}{4}$  corner of Sec. 31, Twp. 51 N, R 1 WBM; thence south approximately 7 miles to the south  $\frac{1}{4}$  corner of Sec. 31, Twp. 50 N, R 1 WBM; thence west approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 49 N, on the range line between Ranges 1 & 2 WBM; thence south 3 miles, more or less, to the SE corner of Sec. 13, Twp. 49 N, on the range line; thence west approximately 9 miles to the SW corner of Sec. 15, Twp. 49 N, R 3 WBM; thence north approximately  $\frac{1}{2}$  mile to the west  $\frac{1}{4}$  corner of said Sec. 15; thence west approximately  $1\frac{1}{2}$  miles to the center of Sec. 17, said township and range; thence north approximately  $1\frac{1}{2}$  miles to the south  $\frac{1}{4}$  corner of Sec. 5, said township and range; thence west  $1\frac{1}{2}$  miles, more or less, to the center of Coeur d'Alene Lake; thence south and west, continuing along the center thread of Coeur d'Alene Lake and Windy Bay to a point where it intersects the west line of Sec. 30, Twp. 48 N, R 4 WBM; thence north approximately  $2\frac{1}{2}$  miles to the SW corner of Sec. 7, said township and range; thence west approximately 1 mile to the SW corner of Sec. 12, Twp 48 N, R 5 WBM; thence north approximately 5 miles to the NW corner of Sec. 24, Twp. 49 N, R 5

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STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

AMENDMENT TO LEGAL DESCRIPTION  
DISTRICT # 271

BEGINNING AT THE NORTH 1/4 CORNER OF SEC. 5, TWP 50 N., R. 4 WBM, THENCE, EAST APPROXIMATELY 1 MILE TO THE NORTH 1/4 CORNER OF SEC. 4, TWP. 50 N., R. 4 W., THENCE, NORTH APPROXIMATELY 1 MILE TO THE SOUTH 1/4 CORNER OF SEC. 28 TWP. 51 N., R. 4 WBM; THENCE, WEST APPROXIMATELY 1/2 MILE TO THE SW CORNER OF SEC. 28 TWP. 51 N., R. 4 WBM, IN THE CENTERLINE OF HUETTER ROAD; THENCE, NORTH APPROXIMATELY 1 MILE TO THE SW CORNER OF SEC. 21 TWP. 51 N., R. 4 WBM;

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



Change Order Summary Sheet

Buyer: Jacob & Barbara Glatt

Address: 6837 N Hourglass Drive

Ratified Contract Date:

Closing Date:

**REVISED 3/10/2017**

**REVISED 4/13/2017**

<b>Change</b>	<b>Date</b>	<b>Source</b>
Buyer intends to add RV garage. Subject to Buyer approval, at Buyer's sole discretion, of final plans and specs.	8/9/2016	P & S Agreement
Ceiling Fan with Light Kit (one included) – Add 3 More	8/9/2016	Itemized OPS
Central Vacuum, Full System	8/9/2016	Itemized OPS
Gas Stub Location: Patio	8/9/2016	Itemized OPS
Tall Elongated Toilet Location: Each Bathroom	8/9/2016	Itemized OPS
Upgraded fireplace	8/9/2016	Itemized OPS
Granite countertops in the master bathroom, guest bathroom, and laundry room	8/9/2016	Itemized OPS
Laminate flooring in all bedrooms/den and great room	8/9/2016	Itemized OPS
Tile flooring in the master bathroom, guest bathroom, and the laundry room	8/9/2016	Itemized OPS
RV Garage (14x40, 12'x10) 680 sq/ft	9/21/2016	RE-11 Addendum
RV hookup – 50 amp	9/21/2016	RE-11 Addendum
Gas stub (high for future heater in RV garage)	9/21/2016	RE-11 Addendum
Central vacuum (Dirt Devil)	9/21/2016	RE-11 Addendum
Windows on garage door	9/21/2016	RE-11 Addendum

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



Change Order Summary Sheet

<b>Change</b>	<b>Date</b>	<b>Source</b>
Pull out drawers for kitchen cabinets	9/21/2016	RE-11 Addendum
Solid surface guest bath, master bath counter tops	9/21/2016	RE-11 Addendum
Credit for wire shelving	9/21/2016	RE-11 Addendum
Tall elongated toilets (3)	9/21/2016	RE-11 Addendum
Cabinet (no pedestal) sink in powder	9/21/2016	RE-11 Addendum
Credit for exposed aggregate walkway	9/21/2016	RE-11 Addendum
Smooth fiberglass showers in guest & master	9/21/2016	RE-11 Addendum
Laminate flooring in great room	9/21/2016	RE-11 Addendum
Vent timer switch guest bath	9/21/2016	RE-11 Addendum
36" sill height in office	9/21/2016	RE-11 Addendum
Ceiling fans in all bedrooms and great room (2)	9/21/2016	RE-11 Addendum
Upgraded fireplace (wood mantel & solid surface)	9/21/2016	RE-11 Addendum
Wall sconces (2) above fireplace	9/21/2016	RE-11 Addendum
Pendant lighting / game light in great room	9/21/2016	RE-11 Addendum
Electric cooktop range (stainless steel)	9/21/2016	RE-11 Addendum
Single level island	9/21/2016	RE-11 Addendum
Desk on end of cabinets	9/21/2016	RE-11 Addendum
Can light over built-in space in dining	9/21/2016	RE-11 Addendum
Stub out for gas BBQ on Patio	9/21/2016	RE-11 Addendum





Change Order Summary Sheet

<b>Change</b>	<b>Date</b>	<b>Source</b>
Wall sconces (2) w/dimmer switch above nightstand in master	9/21/2016	RE-11 Addendum
4 transom windows in RV garage	9/21/2016	RE-11 Addendum
Solid core stained interior doors	9/21/2016	RE-11 Addendum
Additional phone outlet in great room	9/21/2016	RE-11 Addendum
6' swing gate on larger side of house	9/21/2016	RE-11 Addendum
Outlets in soffits (total of 8 outlets)	9/21/2016	RE-11 Addendum
Cabinets in "Brazilian" stain	9/21/2016	RE-11 Addendum
Full bath in bonus room (in order to fit a full bath in this bonus room, you will need more headroom so the bonus room will need to be lowered)	9/21/2016	RE-11 Addendum

**NEW ITEM 3/10/2017**

Upgrading the five (5) ceiling fans throughout the house to 'Minka, F603-ORB'	3/10/2017	RE-11 Addendum U
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**NEW ITEM 4/13/2017**

Home to include 120 square feet of rear concrete patio.	4/13/2017	RE-11 Addendum V
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STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

**From:** [radar250@aol.com](mailto:radar250@aol.com)  
**To:** [Helen Price](#)  
**Subject:** Fwd: Address for Excision Petition - The Trails - Coeur d' Alene ID  
**Date:** Monday, June 26, 2017 12:52:38 PM

---

Had wrong address

Gary Nystrom  
aka Radar

-----Original Message-----

From: radar250 <[radar250@aol.com](mailto:radar250@aol.com)>  
To: H.Price <[H.Price@SDE.Idaho.gov](mailto:H.Price@SDE.Idaho.gov)>  
Cc: jkeane <[jkeane@sd273.com](mailto:jkeane@sd273.com)>; marysouzacda <[marysouzacda@gmail.com](mailto:marysouzacda@gmail.com)>; msouza <[msouza@senate.idaho.gov](mailto:msouza@senate.idaho.gov)>  
Sent: Mon, Jun 26, 2017 10:58 am  
Subject: Address for Excision Petition - The Trails - Coeur d' Alene ID

Dear Ms Price

I am writing to you today regarding the above subject and wish to express my disapproval for the The Trails Development to leave the Post Falls School District. The following is my reason and those expressed by other homeowners in my subdivision which butts up against Trail Subdivision.

It is my understanding that the boundary for the school districts were established in the 1940's. Then, no one would believe the development which would take place not only in North Idaho but other parts of the state such as Nampa and the Boise area. I don't believe that those who were in office or in power even took growth into account, but believed the boundary were solid and that cities could and should work around them

We as taxpayers and residents of the Post Falls School District have already been impacted by Excision Petition regarding the West Landings. While I do know that our Board failed to make a recommendation there are other serious issues to take under consideration which I am in the process of addressing with our lawmakers.

(1) These requests come before the School Boards without any public hearings. Issues which have an impact regarding taxes if done by a city would require a public hearing. When developments are established, there are public hearings.

(2) The impacts of allowing The Trails let alone the West Landings have an impact on our taxes. It is not right for the West Landings to be allowed to vote not only for members of the school board, but to vote on bond issues where the Post Falls School District build a new school for their children, remodeled other schools, provided additional security safeguards which the District committed to a 25 year bond and then they leave passing on the tax burden onto the rest of the taxpayers without us having a vote. It is totally unfair for just a small group of resident to be allowed to tell the rest of the community what is happening.

(3) Under current law, if our district wanted to allow the subdivision or any subdivision to leave, we would have to submit it before our County Commissioner, then to the State and then back before the voters of both district. Under the Excision rules, the law is preventing us who pay taxes to have a say in this process. Either by true public hearing process which includes publication in the newspaper.

(4) Currently, it is estimated that The Trails subdivisions values are nearly ten million dollars and with construction of another 15-18 homes, there will be an additional ten million in the subdivision. When fully developed in two or three years, the value could surpass 225 million. The West Landings

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

had some \$45 million in valuation when the State approved their request. I believe it is unfair for the Coeur d' Alene School District to wait until a development is completed and then accept an Excision Request.

Today, I am working with our Superintendent and have contacted Senator Mary Souza and other lawmakers to discuss a better process for setting boundaries. I want to the State to honor those boundary until we (taxpayers) of the district they belong in have a say. I understand that the Coeur d' Alene District has not recommended the The Trail's application for now. I understand the State feelings about kids having the education they want, but from Ron McGuire who has had child in both district, and lives in our development, he believes there is no different in the education process. And, if the State is concerned about education, let us take our tax dollars to the schools we would like our grandchildren go to.

Finally, when the resident of the West Landings and The Trails bought, they knew they were in the Post Falls School District. Just because their friends who live several blocks away go to another district is not something that changes a boundary and the same for what city you live in either. In Coeur d' Alene, you have two highway districts serving them, several water districts as well as the city system. With all the farm land near the The Trails, do we simply let them build out and after our district takes long range planning, they are allowed to exit without us having a say? Hell "no"

For right now and until we as a district decide, the boundary which currently exist should be enforced. I know some are contacting attorneys because of various issue, however, we in Big Sky Development are greatly opposed to any more of the tax dollars leaving the district. I also know many are even upset again with the lack of leadership in our district no vote recommendation.

If you would like to discuss the matter with me, you can reach me at 208-765-8384, however, beginning on Tuesday, I will be on the road and you can reach me at 208-818-3207.

Gary Nystrom  
aka Radar

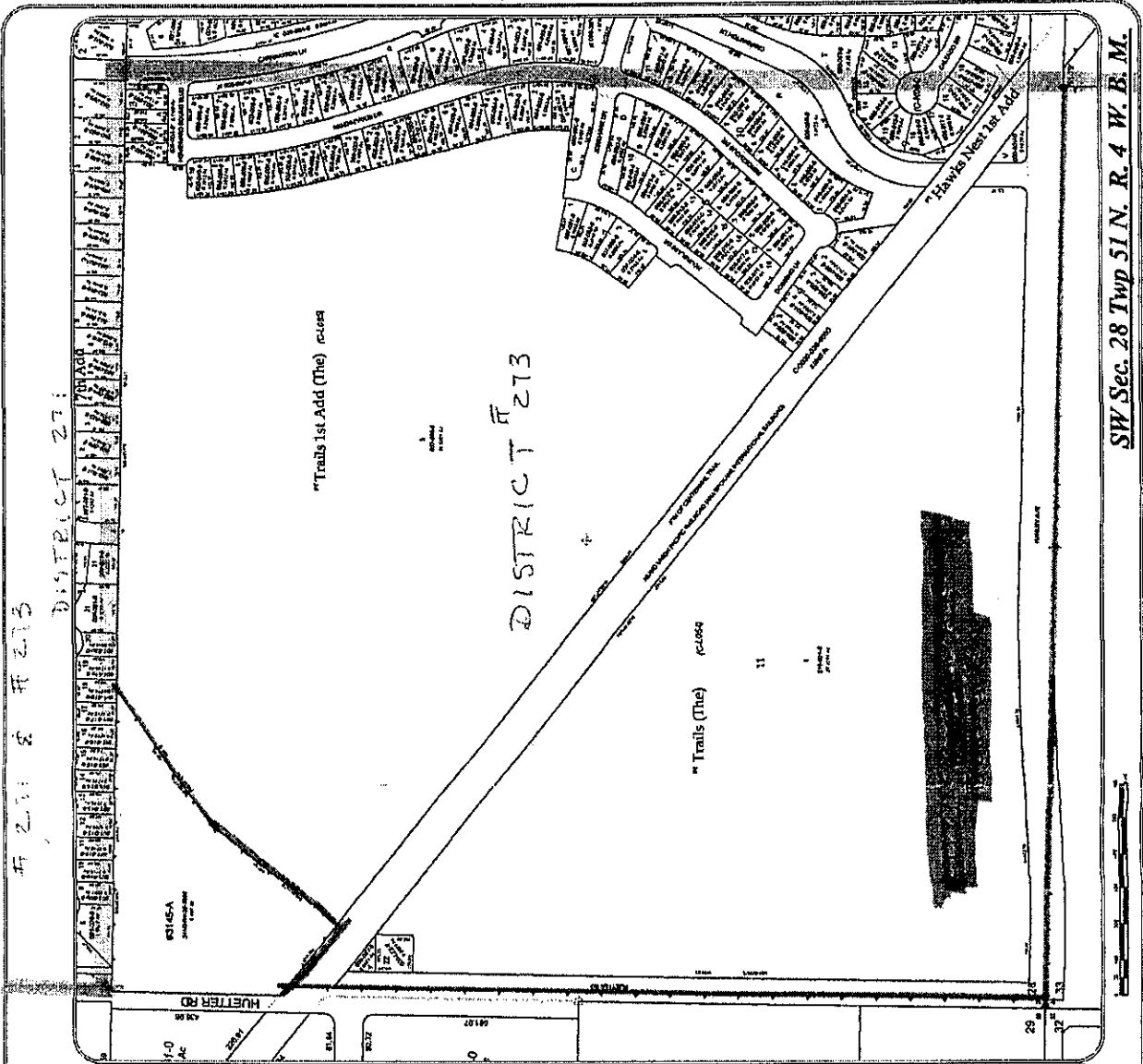
EXISTING BOUNDARIES

# 271 & # 273

DISTRICT 271


DISTRICT 273

DISTRICT 271



SW Sec. 28 Twp 51 N. R. 4 W. B. M.

**Kootenai County, Idaho**



THE INFORMATION IS TO BE USED FOR INFORMATIONAL PURPOSES ONLY. KOOTENAI COUNTY IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE USER ASSUMES ALL LIABILITY FOR ANY DAMAGE OR LOSS OF DATA ARISING FROM THE USE OF THIS INFORMATION.

**Map Revisions**

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
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**Legend**

- Sub-area
- Parcel (shaded)
- Legislative
- Road (RW)
- Private Roads
- City Limits
- Parcel Boundaries
- GC08\_Corners
- Railroad
- GC08\_Lines

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Mapfile: 51N04W28SW





## Coeur d'Alene Public Schools

DISTRICT ADMINISTRATIVE CENTER  
1400 N. Northwood Center Court, Coeur d'Alene, ID 83814

OFFICE 208.664.8241  
FAX 208.664.1748  
www.cdaschools.org

June 12, 2017

Sherri Ybarra, Superintendent of Public Instruction  
Idaho State Department of Education  
PO Box 83720  
Boise, ID 83720-0027

Dear Superintendent Ybarra,

Please be advised that the Board of Trustees of Coeur d'Alene School District No. 271, at a duly noticed and constituted meeting held on June 5, 2017, reviewed the Petition of Petitioners, a copy of which is enclosed, before five members of the Board of Trustees. A motion and a second were made to recommend the request however, the motion failed by a vote of 2-3. Therefore, the Board does not recommend the request for annexation.

If you have additional questions, please feel free to contact me. Thank you.

Sincerely,

Lynn M. Towne  
Clerk of the Board

Enclosures: Petition for Annexation

**INVEST | INSPIRE | INNOVATE**

We invest in each student to prepare, challenge and advance  
well-educated, resilient and future-ready citizens.



ARCHITERRA  
— HOMES —  
*Where Life Happens.*

State Department of Education  
April 23rd, 2017

THE TRAILS SUBDIVISION

ATTN: Brian Wallace  
RE: Revised School District Boundaries  
Post Falls School District Number 273  
Coeur d'Alene School District Number 271

Dear Mr. Wallace:

As you are aware, Architerra Homes is requesting to annex their Coeur d'Alene development, *The Trails*, into the Coeur d'Alene School District and to be excised from the Post Falls School District.

As statute 33-308 states "one-fourth (1/4) or more of the school district electors, residing in an area....may petition in writing proposing the annexation of the area to another district, I wanted to provide you a written statement assuring all parties that the four signatures provided not only constitute the minimum 25% of the residents who occupy homes in the area requesting annexation but that they in fact represent 100% of the residents in the area requesting annexation.

Please allow this letter to serve as our assurance of compliance with this statute.

Respectfully,

Allen Dykes  
Chief Operating Officer  
Architerra Homes, LLC



ARCHITERRA  
— HOMES —  
*Where Life Happens.*

State Department of Education  
April 12th, 2017

THE TRAILS SUBDIVISION

ATTN: Brian Wallace  
RE: Revised School District Boundaries  
Post Falls School District Number 273  
Coeur d'Alene School District Number 271

Dear Mr. Wallace:

Architerra Homes is requesting to annex their Coeur d'Alene development, *The Trails*, into the Coeur d' Alene School District and to be excised from the Post Falls School District.

The key reasons for this request are outlined below:

- 1) The Trails development exists within the City limits of Coeur d' Alene, Idaho and is currently split between the Post Falls and Coeur D' Alene School Districts. While this creates confusion amongst prospective home buyers, it also harms the sense of community Architerra is attempting to create, as families in our community may be pulled into differing school districts.
- 2) Home owners in the community would like the schools within their taxing district to get the benefit of their home ownership and tax revenue.
- 3) There is not currently direct access into The Trails community from/through Post Falls. Under the current alignment with the Post Falls School district, Post Falls buses would be required to head North into Coeur d'Alene, up to Prairie Avenue, and then south through neighborhoods that are all aligned with the Coeur d'Alene School District. Relative to all adjacent communities, The Trails would be the only pocket community attending Post Falls Schools.

Currently, the school district boundary line between Coeur d'Alene & Post Falls takes a small jog to the East of Huetter (just north of Poleline). For easier bus transportation routes and neighborhood cohesiveness, Architerra Homes proposes a boundary line clean-up/straightening, so that Huetter Road becomes the E/W boundary line.

As far as additional children to potentially be introduced to the Coeur d' Alene School District:

- o Total number of lots within the Trails community – 470 lots
- o Projected absorption (sales) rate per year – 40 homes
- o Projected percentage of homes with children K-12 – 20%
- o Projected number of households with children added each year – 8 homes

Using these assumptions, we anticipate eight households per year having school age children. It should be noted that this exceeds the percentage of sold homes in our community with children. These assumptions would translate to 16 additional children per year - based on a count of two children per household.

Allen Dykes  
Chief Operating Officer  
Architerra Homes, LLC



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

March 9, 2017

Idaho State Department of Education  
650 West State Street  
PO Box 83720  
Boise, ID 83720-0027

RE: School District #271 – Annexation Request

Dear Governing Members,

I am writing as the homeowner of 6828 N Hourglass Drive, Coeur d'Alene, ID 83815 which is located in The Trails subdivision. As a taxpayer in the City of Coeur d'Alene, I pay \$2.31 towards school taxes but do not have any benefit of that tax. Please note that I am in favor of supporting schools and education. Unfortunately, any children that currently or may in the future, live on the West side of Rendezvous Drive, Hourglass Drive, and on Downing Lane and future planned streets within The Trails, do not currently have any benefit to the Coeur d'Alene School District #271.

The current impact of adding The Trails subdivision to the school district would be 1 (one) elementary aged child. And, as we all are very aware, the School Board is lobbying for a new elementary school this area of town which will be voted on this month by our community. And, certainly adding one desk for an in-district child would be a minimal impact on the education capacity.

I do not have any children, nor does the other resident of the existing occupied homes in this area of The Trails subdivision, Carol Flynn at 6759 N Rendezvous Drive, Coeur d'Alene, ID 83815. Given The Trails is currently in the first year of home introduction to the market which is planned for a 10-year build-out, and to the best of my knowledge the majority of homes occupied to date with school aged children is under 20%, I do not believe it is unreasonable to ask that the entire subdivision be annexed into School District #271.

This is not dis-similar to the recent April 2016 annexation of school age children into School District #271 from Post Falls who live in The Landings subdivision which is immediately North of The Trails subdivision. The precedent has been set and the immediate impact from The Trails neighborhood would only be 1 vs 100 students which was the impact with the previously mentioned 2016 annexation.

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

Should you not choose to represent the residents of the City, perhaps you could remove the School Taxes from my Real Estate Tax bill and I would be happy to pay for the Post Falls School Tax instead to the City of Post Falls instead, wherein, I am guaranteed a benefit!

Thank you for your consideration to my request.

Best regards,



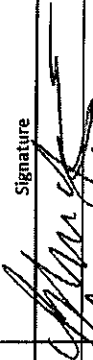

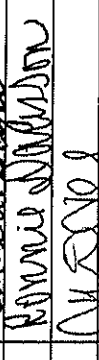
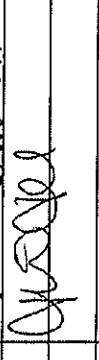
Barbara Yeager  
(208) 819-1973  
[barb@barbyeager.com](mailto:barb@barbyeager.com)

Home:  
6828 N Hourglass Dr  
Coeur d'Alene, ID 83815

Mailing:  
212 W Ironwood Dr D135  
Coeur d'Alene, ID 83814

cc: Architerra Homes, LLC

The Trails Annexation into the Coeur d'Alene School District 271

Printed Name	Signature	Address	Phone
Barbara Yeager		6828 N Houghton Lass Dr, CDA, ID 83815	208-819-1973
Carol Flynn		6759 N Pendegrove Dr, CDA 83815	208-929-7623
Bonnie Davidson		6895 N Hendricks Dr, CDA 83815	208-314-9560-9899
Tori Myers		7062 N Pendegrove Dr CDA 83815	208-969-7434

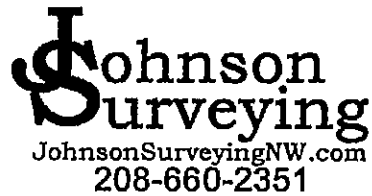
STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

STATE OF IDAHO                    )  
  ) ss  
County of Kootenai County        )

To the clerk of the Coeur d'Alene School District #271 taxing  
district, I, Jim Brannon, County Clerk of Kootenai County, hereby certify that 1  
signatures on this petition are those of qualified electors. Certified on this 26<sup>th</sup> day of  
April, 2017.



Signed: *May Brannon*  
County Clerk or Deputy



State Department of Education

September 27, 2016

THE TRAILS SUBDIVISION

ATTN: Brian Wallace

RE: Revised School District Legal Descriptions

Post Falls School District Number 273

Coeur d'Alene School District Number 271

Dear Mr. Wallace:

I have prepared a legal description of the property to be excised from Post Falls School District and simultaneously annexed to Coeur d'Alene school District. This description was signed and sealed by me in accordance with the requirements of Idaho Statute 33-308 (2)(b).

The attached descriptions, one for each school district either to be excised or annexed, The existing District boundaries were prepared 'by others'. The revisions to each description are blanked out and I have attached the portion to be inserted into the new boundaries if approved. Those revisions reflect the appropriate changes to each description for the land exchange between districts.

Although I have not reviewed the entire descriptions, I did prepare the legal description revisions and they accurately depict the addition/omission of the Trails and the Trails 1<sup>st</sup> addition property which was described in my legal description.

If you have any further question or comment on this matter feel free to contact our office at your earliest convenience.

Very Truly Yours,

Johnson Surveying, LLC

A handwritten signature in black ink, appearing to read 'Chad Johnson', is written over the printed name.

Chad Johnson, PLS

208-660-2351

Johnsonsurveying@yahoo.com

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

STATE DEPARTMENT OF EDUCATION  
EXHIBIT "A"

"THE TRAILS & THE TRAILS 1<sup>ST</sup> ADDITION"

TO BE ANNEXED TO DITRICT 271

A PARCEL OF LAND BEING THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 51 NORTH, RANGE 04 WEST, BOISE MERIDIA N, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO.

BEING MORE PARTICULARLY DEESCRIBED AS FOLLOWS:

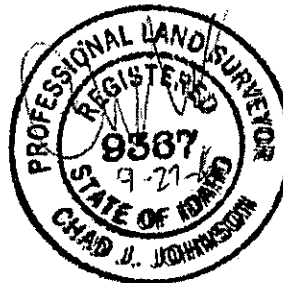
**BEGINNING:** AT THE WEST QUARTER OF SAID SECTION 28 BEING A FOUND 5/8 INCH REBAR WITH AN ILLEGIBLE CAP PER CP&F INSTRUMENT 975684;

THENCE, ALONG THE COMMON BOUNDARY OF SCHOOL DISTRICTS 273 AND 271, S 88°56'16"E A DISTANCE OF 2639.67 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 28 MARKED BY A 2" ALUMNINUM CAP PER CP&F INSTRUMENT NUMBER 2525374000;

THENCE, CONTINUING ALONG SAID COMMON SCHOOL DISTRICTS BOUNDARY, S 01°22'04"W A DISTANCE OF 2658.32 FEET TO A FOUND P.K. NAIL MARKING THE SOUTH QUARTER CORNER OF SECTION 28 PER CP&F INSTRUMENT NUMBER 1781922;

THENCE, LEAVING SAID COMMON SCHOOL DISTRICTS BOUNDARY, N 88°39'10"W A DISTANCE OF 2627.35 FEET TO A FOUND 2 INCH ALUMINUM CAP MARKING THE SOUTHWEST CORNER OF SECTION 28 PER CP&F INSTRUMENT NUMBER 1671560 IN THE CENTERLINE OF HUETTER ROAD;

THENCE, ALONG THE CENTERLINE OF HUETTER ROAD, N 01°06'06"E A DISTANCE OF 2645.22 FEET TO THE TRUE POINT OF BEGINNING.



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

STATE DEPARTMENT OF EDUCATION  
EXHIBIT "A"

"THE TRAILS & THE TRAILS 1<sup>ST</sup> ADDITION"

TO BE EXCISED FROM DITRICT 273

A PARCEL OF LAND BEING THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 51 NORTH, RANGE 04 WEST, BOISE MERIDIA N, CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO.

BEING MORE PARTICULARLY DEESCRIBED AS FOLLOWS:

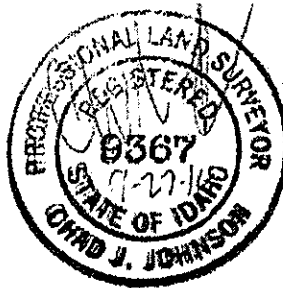
**BEGINNING:** AT THE WEST QUARTER OF SAID SECTION 28 BEING A FOUND 5/8 INCH REBAR WITH AN ILLEGIBLE CAP PER CP&F INSTRUMENT 975684;

THENCE, ALONG THE COMMON BOUNDARY OF SCHOOL DISTRICTS 273 AND 271, S 88°56'16"E A DISTANCE OF 2639.67 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 28 MARKED BY A 2" ALUMNINUM CAP PER CP&F INSTRUMENT NUMBER 2525374000;

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THENCE, LEAVING SAID COMMON SCHOOL DISTRICTS BOUNDARY, N 88°39'10"W A DISTANCE OF 2627.35 FEET TO A FOUND 2 INCH ALUMINUM CAP MARKING THE SOUTHWEST CORNER OF SECTION 28 PER CP&F INSTRUMENT NUMBER 1671560 IN THE CENTERLINE OF HUETTER ROAD;

THENCE, ALONG THE CENTERLINE OF HUETTER ROAD, N 01°06'06"E A DISTANCE OF 2645.22 FEET TO THE **TRUE POINT OF BEGINNING.**



STATE DEPARTMENT OF EDUCATION

DECEMBER 20, 2017

STATE DEPARTMENT OF EDUCATION

APRIL 16, 2015

~ Coeur D'Alene School District ~

Coeur d'Alene School District No. 271

THE BOARD OF TRUSTEES

1000P

Boundaries of the Coeur d'Alene School District No. 271

1

SEE ATTACHED  
AMENDMENT

thence east approximately ½ mile to the south ¼ corner of Sec. 21, said township and range; thence north approximately ¾ miles ½ mile to the center of Sec. 21, Twp. 51 N, R 4 WBM said township and range; thence east approximately ½ mile to the east ¼ corner of Sec. 21, said township and range; thence north approximately 3/10 mile to a point on the existing North right-of-way line of Robison Avenue thence along said North right-of-way line, N 88° 35' 46" W a distance of 628.61 feet to a point; thence leaving said right-of-way, N 00° 49' 57" E a distance of 973.13 feet to a point; thence, S 88° 30' 58" E a distance of 628.61 feet to the existing West right-of-way of Atlas Road; thence north approximately 9/10 mile to the SW corner of Sec. 10, said township and range; thence east approximately 1½ miles to the south ¼ corner of Sec. 11, said township and range; thence north to the center of said Sec. 11; thence east approximately ¼ mile to the east ¼ corner of said Sec. 11; thence north approximately ¼ mile to the NW corner of the SW ¼ of the NW ¼ of Sec. 12, said township and range; thence east approximately ½ mile to the NE corner of the SE ¼ corner of the NW ¼ of said Sec. 12; thence north approximately ¼ mile to the center of Sec. 1, said township and range; thence east approximately ½ mile to the east ¼ corner of said Sec. 1; thence north approximately ½ mile to the NW corner of Sec. 6, Twp. 51 N, R 3 WBM; thence east 3 ¼ miles, more or less, to the center of Hayden Lake; thence north approximately 1 mile to the mouth of Hayden Creek; thence north along the center thread of Hayden Creek to the north boundary of Sec. 34, Twp. 52 N, R 3 WBM; thence east approximately 2 ¾ miles to the NE corner of Sec. 36, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 36; thence east 14¼ miles, more or less, to the Shoshone County line; thence south 5 miles, more or less, along the Kootenai-Shoshone County line to the SE corner of the SW 1/8 of Sec. 27, Twp. 51 N, R 1 EBM, on the Shoshone County line; thence west approximately 8 ¾ miles to the north ¼ corner of Sec. 31, Twp. 51 N, R 1 WBM; thence south approximately 7 miles to the south ¼ corner of Sec. 31, Twp. 50 N, R 1 WBM; thence west approximately ½ mile to the NW corner of Sec. 6, Twp. 49 N, on the range line between Ranges 1 & 2 WBM; thence south 3 miles, more or less, to the SE corner of Sec. 13, Twp. 49 N, on the range line; thence west approximately 9 miles to the SW corner of Sec. 15, Twp. 49 N, R 3 WBM; thence north approximately ½ mile to the west ¼ corner of said Sec. 15; thence west approximately 1½ miles to the center of Sec. 17, said township and range; thence north approximately 1½ miles to the south ¼ corner of Sec. 5, said township and range; thence west 1½ miles, more or less, to the center of Coeur d'Alene Lake; thence south and west, continuing along the center thread of Coeur d'Alene Lake and Windy Bay to a point where it intersects the west line of Sec. 30, Twp. 48 N, R 4 WBM; thence north approximately 2 ½ miles to the SW corner of Sec. 7, said township and range; thence west approximately 1 mile to the SW corner of Sec. 12, Twp. 48 N, R 5 WBM; thence north approximately 5 miles to the NW corner of Sec. 24, Twp. 49 N, R 5

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STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

AMENDMENT TO LEGAL DESCRIPTION  
DISTRICT # 271

BEGINNING AT THE NORTH 1/4 CORNER OF SEC. 5, TWP 50 N., R. 4 WBM, THENCE, EAST APPROXIMATELY 1 MILE TO THE NORTH 1/4 CORNER OF SEC. 4, TWP. 50 N., R. 4 W., THENCE, NORTH APPROXIMATELY 1 MILE TO THE SOUTH 1/4 CORNER OF SEC. 28 TWP. 51 N., R. 4 WBM; THENCE, WEST APPROXIMATELY 1/2 MILE TO THE SW CORNER OF SEC. 28 TWP. 51 N., R. 4 WBM, IN THE CENTERLINE OF HUETTER ROAD; THENCE, NORTH APPROXIMATELY 1 MILE TO THE SW CORNER OF SEC. 21 TWP. 51 N., R. 4 WBM;

STATE DEPARTMENT OF EDUCATION

DECEMBER 20, 2017

STATE DEPARTMENT OF EDUCATION

APRIL 16, 2015

~ Post Falls School District (AS AMENDED) ~

**Post Falls School District No. 273**

**Legal District Boundary Description**

February 1, 2011

Beginning at the NW corner of the NE ¼ of Section 20 T51N R5W and going east to the NE corner of Section 24 T51N R5W, then south to the NE corner of the S ½ of said section, then east to the NE corner of the SW ¼ of Section 21 T51N R4W, then south to the NE corner of the W ½ of section 28 T51N R4W, then west to the NW corner of said section, then south to the NW corner of the S ½ of said section, then east to the NE corner of the SW ¼ of said section, then south to the SE corner of the W ¼ of Section 33 T51N R4W, then west to the NE corner of the W ¼ of Section 5 T50N R4W, then south to the point where the east edge of the W ¼ of Section 8 T50N R4W meets the Spokane River, then westerly down the Spokane River taking the north channel by the island in Section 8 T50N R4W to the point where the Spokane River touches the eastern border of Section 12 T50N R4W, then south to the SE corner of the N ½ of Section 24 T50N R5W, then west to the SE corner of the NW ¼ of Section 23 T50N R5W, then south to the SE corner of the SW ¼ of said section, then west to the NE corner of the W ½ of Section 28 T50N R5W, then south to the SE corner of the W ½ of said Section, then west to the SW corner of said section, then south to the SE corner of Section 32 T50N R5W, then east to the NE corner of Section 4 T49N R5W, then south to the SE corner of the N ½ of Section 9 T49N R5W, then west to the SW corner of the NE ¼ of Section 8 T49N R5W, then north to the SW corner of the NE ¼ of Section 5 T49N R5W, then west to the SW corner of the N ½ of Section 1 T49N R6W, then north to the NW corner of Section 36 T51N R6W, then east to the NW corner of Section 32 T51N R5W, then north to the SW corner of the NW ¼ of Section 20 T50N R5W, then east to the SE ¼ of the NW ¼ of said Section, then north to the point of beginning.

SEE ATTACHED AMENDMENT

Erin Butler  
 Clerk of the Board  
 PH: 773-1658  
 FX: 773-3218  
 ebutler@sd273.com

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

**AMENDMENT TO LEGAL DESCRIPTION  
DISTRICT # 273**

**THEN SOUTH TO THE SW CORNER OF SECTION 28, T 51 N, R 4W, THEN EAST TO THE SE CORNER OF THE  
SW QUARTER OF SECTION 28, THEN**

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

SUPERINTENDENT OF PUBLIC INSTRUCTION'S ORDER UNDER IDAHO CODE  
SECTION 33-307 FOR CORRECTION OF SCHOOL DISTRICT BOUNDARIES

In the Matter of: )  
 )  
Coeur d'Alene School District No. 271 ) **FINAL ORDER**  
 )  
 )  
\_\_\_\_\_ )

This matter came before the Idaho State Board of Education ("Board") at its regularly scheduled meeting, June 14 - 15, 2017.

Having reviewed and considered all materials of record the Board found that the legal description for the Coeur d'Alene School District No. 271 boundary contained errors and that the corrected legal description should be that as described and depicted on **Exhibit A** attached hereto and incorporated herein by reference.

NOW, THEREFORE, pursuant to the authority granted in Idaho Code Section 33-307 the Superintendent of Public Instruction of the State of Idaho hereby orders that the legal description for the Coeur d'Alene School District No. 271 shall be as described on Exhibit A.

IT IS SO ORDERED.

DATED this 15th day of June, 2017.

IDAHO STATE BOARD OF EDUCATION

By *Sherri Ybarra*

Sherri Ybarra, Superintendent of Public Instruction

**EXHIBIT A**

**LEGAL DESCRIPTION**

**Coeur d'Alene School District No. 271**

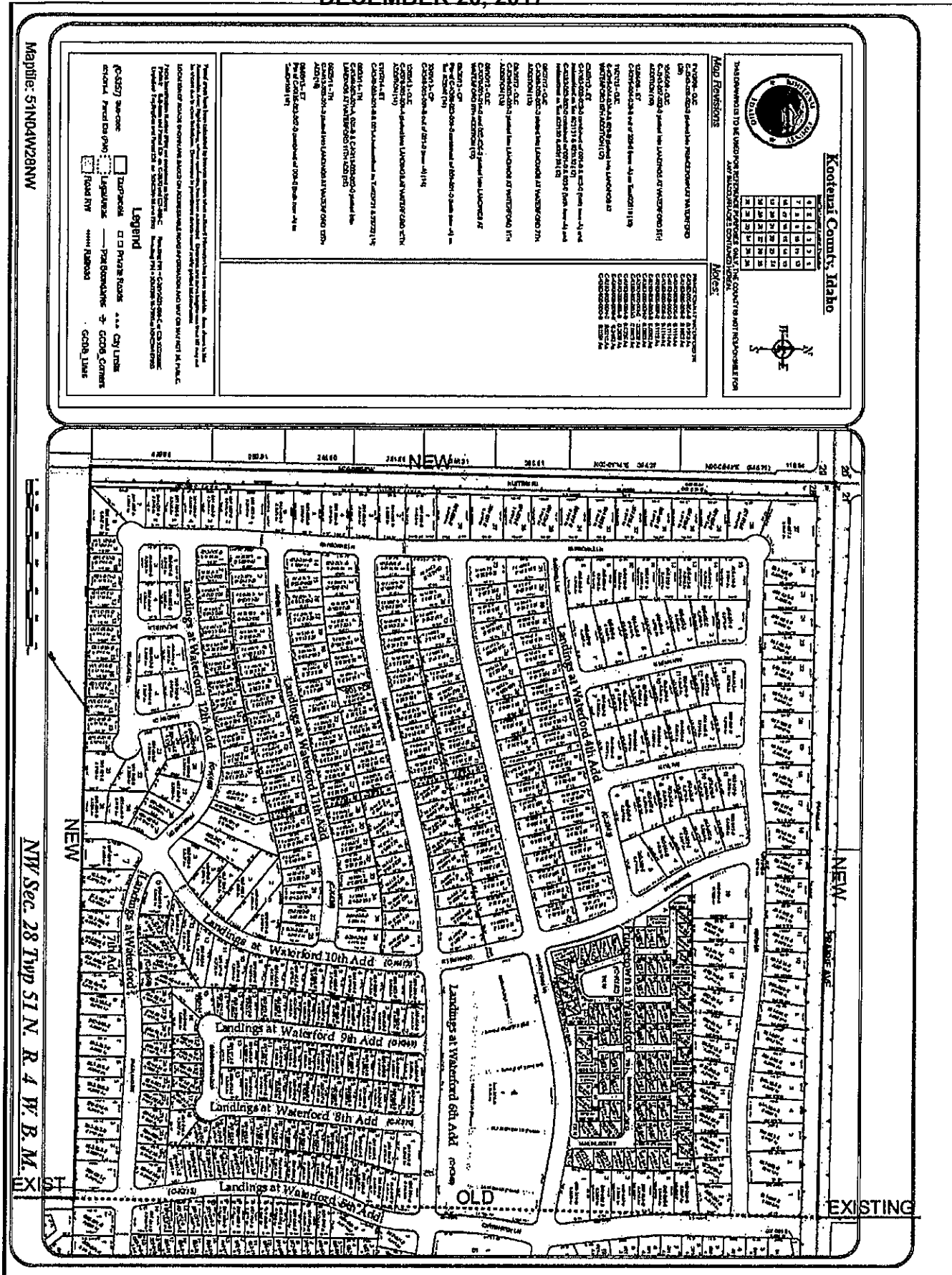
Beginning at the north  $\frac{1}{4}$  corner of Sec. 5, Twp. 50 N, R 4 W BM; thence east approximately 1 mile to the north  $\frac{1}{4}$  corner of Sec. 4, said township and range; thence north approximately  $1\frac{1}{2}$  miles to the center of Sec. 28, Twp. 51 N, R 4 W BM; thence west approximately  $\frac{1}{2}$  mile to the west  $\frac{1}{4}$  corner of Sec. 28, said township and range; thence north approximately  $\frac{1}{2}$  mile to the SW corner of Sec. 21, said township and range; thence east approximately  $\frac{1}{2}$  mile to the south  $\frac{1}{4}$  corner of Sec. 21, said township and range; thence north  $\frac{1}{2}$  mile to the center of Sec. 21, Twp., 51 N, R 4 WBM; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of Sec. 21, said township and range; thence North approximately  $\frac{3}{16}$  mile to the SE corner of the north  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence west  $\frac{1}{8}$  mile to the SW corner of said north  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21 ; Thence south  $\frac{1}{16}$  mile to the SE corner of the east  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence west  $\frac{1}{16}$  mile to the SW corner of said east  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence north  $\frac{1}{8}$  mile to the NW corner of said east  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence west  $\frac{1}{16}$  mile to the SW corner of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence north  $\frac{1}{8}$  mile to the NW corner of said SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of sec. 21; Thence east  $\frac{1}{8}$  mile to the NE corner of said SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence north  $\frac{1}{16}$  mile to the NW corner of the south  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence east  $\frac{1}{8}$  mile to the NE corner of said south  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said sec. 21; Thence north  $1\frac{1}{16}$  miles to the SW corner of Sec. 10, said township and range; thence east approximately  $1\frac{1}{2}$  miles to the south  $\frac{1}{4}$  corner of Sec. 11, said township and range; thence north to the center of said Sec. 11; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 11; thence north approximately  $\frac{1}{4}$  mile to the NW corner of the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Sec. 12, said township and range; thence east approximately  $\frac{1}{2}$  mile to the NE corner of the SE  $\frac{1}{4}$  corner of the NW  $\frac{1}{4}$  of said Sec. 12; thence north approximately  $\frac{3}{4}$  mile to the center of Sec. 1, said township and range; thence east approximately  $\frac{1}{2}$  mile to the east  $\frac{1}{4}$  corner of said Sec. 1; thence north approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 51 N, R 3 WBM; thence east  $3\frac{1}{4}$  miles, more or less, to the center of Hayden Lake; thence north approximately 1 mile to the mouth of Hayden Creek; thence north along the center thread of Hayden Creek to the north boundary of Sec. 34, Twp. 52 N, R 3 WBM; thence east approximately  $2\frac{3}{4}$  miles to the NE corner of Sec. 36, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 36; thence east  $14\frac{1}{4}$  miles, more or less, to the Shoshone County line; thence south 5 miles, more or less, along the Kootenai-Shoshone County line to the SE corner of the SW  $\frac{1}{8}$  of Sec. 27, Twp. 51 N, R 1 EBM, on the Shoshone County line; thence west approximately  $8\frac{3}{4}$  miles to the north  $\frac{1}{4}$  corner of Sec. 31, Twp. 51 N, R 1 WBM; thence south approximately 7 miles to the south  $\frac{1}{4}$  corner of Sec. 31, Twp. 50 N, R 1 WBM; thence west approximately  $\frac{1}{2}$  mile to the NW corner of Sec. 6, Twp. 49 N, on the range line between Ranges 1 & 2 WBM; thence south 3 miles, more or less, to the SE corner of

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

Sec. 13, Twp. 49 N, on the range line; thence west approximately 9 miles to the SW corner of Sec. 15, Twp. 49 N, R 3 WBM; thence north approximately ½ mile to the west ¼ corner of said Sec. 15; thence west approximately 1 ½ miles to the center of Sec. 17, said township and range; thence north approximately 1 ½ miles to the south ¼ corner of Sec. 5, said township and range; thence west 1 1/2 miles, more or less, to the center of Coeur d'Alene Lake; thence south and west, continuing along the center thread of Coeur d'Alene Lake and Windy Bay to a point where it intersects the west line of Sec. 30, Twp. 48 N, R 4 WBM; thence north approximately 2 ½ miles to the SW corner of Sec. 7, said township and range; thence west approximately 1 mile to the SW corner of Sec. 12, Twp. 48 N, R 5 WBM; thence north approximately 5 miles to the NW corner of Sec. 24, Twp. 49 N, R 5 WBM; thence west approximately 1 mile to the NE corner of Sec. 22, said township and range; thence south approximately 1 mile to the SE corner of said Sec. 22; thence west 4 miles, more or less, to the Washington-Idaho State line; thence north approximately 3½ miles to the west ¼ corner of Sec. 1, Twp. 49 N, R 6 WBM; thence east 1½ miles, more or less, to the center of Sec. 5, Twp. 49 N, R 5 WBM; thence south 1 mile to the center of Sec. 8, said township and range; thence east approximately 1½ miles to the east ¼ corner of Sec. 9, said township and range; thence north approximately 2 ½ miles to the NW corner of Sec. 33, Twp. 50 N, R 5 WBM; thence east ½ mile to the north ¼ corner of said Sec. 33; thence north approximately 1 mile to the north ¼ corner of Sec. 28, said township and range; thence east approximately 2 miles to the north ¼ corner of Sec. 26, said township and range; thence north approximately ½ mile to the center of Sec. 23, said township and range; thence east approximately 1½ miles to the west ¼ corner of Sec. 19, Twp. 50 N, R 4 WBM; thence north 2 miles, more or less, to the center thread of the Spokane River; thence east 1½ miles, more or less, along the center thread of the Spokane River to a point where the river intersects the north-south center line of Sec. 8, Twp. 50 N, R 4 WBM; thence north 1 ½ miles, more or less, to the point of beginning.

Approved: State Board of Education June 2017

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017



FINAL ORDER OF THE IDAHO STATE BOARD OF EDUCATION - 4





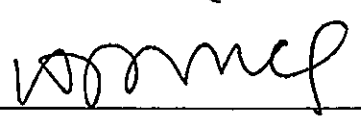
STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of July, 2017, I caused to be served the original copy of the foregoing SUPERINTENDENT OF PUBLIC INSTRUCTION'S ORDER UNDER IDAHO CODE SECTION 33-307 FOR CORRECTION OF SCHOOL DISTRICT BOUNDARIES by the method indicated below, and addressed to the following:

Coeur d'Alene School District No. 271  
Board of Trustees  
1400 N Northwood Center Court  
Coeur d'Alene ID 83814

- U.S. Mail
- Hand Delivery
- Certified Mail, Return Receipt Requested
- Overnight Mail
- Statehouse Mail

By   
Helen Price  
Program Specialist  
Idaho State Department of Education

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

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**SUBJECT**

Annexation/Excision Request – Sugar-Salem School District (#322)/Fremont School District (#215)

**APPLICABLE STATUTE, RULE, OR POLICY**

Section 33-308, Idaho Code;  
Idaho Administrative Code, IDAPA 08.02.01.050

**BACKGROUND/DISCUSSION**

Ms. Tiffany Stanger submitted a petition to the Sugar-Salem and Fremont School Districts on behalf of homeowners residing in the area defined in the petition, requesting an excision of territory from Fremont School District 215 to be annexed to Sugar-Salem School District 322.

The Sugar-Salem School District Board of Trustees considered the petition at its meeting on June 7, 2017, and unanimously endorsed the petition. The Fremont School District Board of Trustees considered the petition at its meeting on June 15, 2017, and recommended denial of the petition. At the time that the petition was submitted to each school board, the petition was deficient; regardless. However, the petitioner corrected the deficiencies.

Section 33-308, Idaho Code, provides a process whereby the State Board of Education shall consider amendment of the boundaries of adjoining school districts and direct that an election be held, provided that the proposed excision and annexation is in the best interest of the children residing in the area described, and excision of the territory would not leave a school district with a bonded debt in excess of the limit prescribed by law. IDAPA 08.02.01.050 includes criteria for review of the petition by a hearing officer appointed by the Superintendent of Public Instruction for purposes of making recommendations to the State Board of Education.

Mr. Robin Dunn, Attorney at Law, was appointed as hearing officer for this petition. Prior to contracting with Mr. Dunn, the Department confirmed no relation to Mr. Alan Dunn, Superintendent of Sugar-Salem School District 322. A public hearing on the matter was held on October 6, 2017, at the Madison County Courthouse. Those appearing at the hearing were in support of the petition to annex. On October 19, 2017, the State Department of Education received Mr. Dunn's Findings of Fact, Conclusions of Law and Recommendations, dated October 13, 2017.

The findings of fact by the hearing officer include the following:

- The petition was initially deficient, and the petition was supplemented with a legal description and reasoning.
- The superintendents of each district were contacted concerning the opinions of their districts regarding the annexation request. The superintendents reiterated their school districts' opinions in an informal meeting.

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- A public hearing on the matter was held on October 6, 2017. Those appearing at the hearing were in support of the petition.

Conclusions of the hearing officer include the following:

- The petition with amendments substantially complies with the legal requirements contained in IDAPA 08.02.01 and Idaho Code Title 33, Chapter 300, et al.
- The petition, information collected and statements were in conformity with the IDAPA regulations and statute.
- The hearing notice was proper and sent to allow due process to all affected or interested individuals.
- The factors weighing against annexation are as follows: increased tax valuation to land owners in the proposed annexation area; change of revenue to each school District; transfer of elementary students from near-by schooling to more distant schooling; the potential for overcrowding at Sugar-Salem School District #322.
- The factors weighing in favor of the proposed annexation are as follows: most of the upper division students in the area in question are currently attending Sugar-Salem School District #322; Sugar-Salem School District does not object to the proposed annexation; elementary children could petition for “open enrollment” into the Fremont School District #215 to avoid travel distance; a vote of the residents in question would ascertain the true feelings of the majority.

The hearing officer’s recommendation includes the following statements:

- A concern exists as to the ability of the Sugar-Salem School District to accommodate the capacity although there is overall community support for the approval.
- The alteration as proposed would not leave a school district within bonded debt in excess of the limit allowed by law.
- The alteration is in the overall best interest of the students.
- The safety and distance concerns can be accommodated.
- The views presented were generally in favor of the petition.
- The students would have little, if any, adjustments since most are currently attending the school district of their choice under the open enrollment policies of each school district.

Therefore, it is the hearing officer’s recommendation to approve the petition.

**IMPACT**

Should the recommendation of the hearing officer be accepted, the petition for annexation from the Fremont School District to the Sugar Salem School District will be approved, and the petition shall be submitted for a vote by the school district electors residing in the area described in the petition. Should the recommendation of the hearing officer be rejected, the petition for annexation from the Fremont School District to the Sugar Salem School District will be denied.

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**ATTACHMENTS**

Attachment 1 – Findings of Fact, Conclusions of Law and Recommendation with exhibits	Page 5
Attachment 2 – District Recommendations and Original Petition Documents	Page 32

**STAFF COMMENTS AND RECOMMENDATIONS**

Approval of the petition by the Board would allow for the proposal to be submitted to the school district electors residing in the area described for annexation/excision in the petition.

Pursuant to section 33-308, Idaho Code, the Board of Education shall approve proposals for excision and annexation if the proposal is in the best interest of the children residing in the area described in the petition and the excision of the area would not leave a school district with a bonded debt in excess of the limit prescribed by law. If either condition is not met the Board of Education must disapprove the proposal.

For a petition to be properly before the Board for consideration the petition must be from a Board of Trustees of the school district or from one-fourth (1/4) or more of the school district electors, residing in an area of not more than fifty (50) square miles within which there is no schoolhouse or facility necessary for the operation of a school district. The petition must contain:

- (a) The names and addresses of the petitioners;
- (b) A legal description of the area proposed to be excised from one (1) district and annexed to another contiguous district. Such legal description shall be prepared by a licensed attorney, licensed professional land surveyor or licensed professional engineer professionally trained and experienced in legal descriptions of real property;
- (c) Maps showing the boundaries of the districts as they presently appear and as they would appear should the excision and annexation be approved;
- (d) The names of the school districts from and to which the area is proposed to be excised and annexed;
- (e) A description of reasons for which the petition is being submitted; and
- (f) An estimate of the number of children residing in the area described in the petition.

The hearing officer findings indicate the excision of the territory, as proposed, would not leave a school district with a bonded debt in excess of the limits prescribed by law and the excision and annexation is in the best interest of the children residing in the area described in the petition. According to the hearing officer findings, both required conditions have been met.

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**BOARD ACTION**

I move to accept the recommendation of the hearing officer and to approve the petition for excision and annexation of property from Fremont School District No. 215 to Sugar-Salem School District 322 based on the findings that the annexation and excision is in the best interest of the children in the area in question and the excision of the property from Fremont School District No. 215 will not leave the district with a bonded debt in excess of the limits prescribed by law.

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

DUNN LAW OFFICES, PLLC.  
Robin D. Dunn, Esq., ISB #2903  
HEARING OFFICER  
477 Pleasant Country Lane  
P.O. Box 277  
Rigby ID 83442  
Telephone: (208) 745-9202  
Facsimile: (208) 745-8160

rdunn@dunnlawoffices.com

BEFORE THE IDAHO STATE DEPARTMENT OF EDUCATION

IN THE MATTER OF:

PETITION ON THE ANNEXATION OF  
PROPERTY INTO THE SUGAR SALEM  
SCHOOL DISTRICT #322 FROM THE  
FREMONT SCHOOL DISTRICT #215

)  
)  
)  
) FINDINGS OF FACTS,  
) CONCLUSIONS AND  
) RECOMMENDATION  
)  
)  
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FINDINGS OF FACT

1. A petition was filed with the Idaho State Department of Education requesting that a portion of real estate contained in the Fremont School District # 215 be annexed into the Sugar Salem School District #322 by residents contained in the portion of real property in question. [See Exhibit A: Petition].
2. The petition was deficient in describing the land in question and the reasons for the requested annexation.
3. The petition was supplemented with Exhibit B, legal description and reasoning, which is attached hereto and incorporated herein by reference.
4. The superintendents of each school district were contacted concerning the

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opinions of the school district on the proposed annexation. Attached hereto is the written correspondence from each superintendent concerning the respective school district opinion, Exhibit C- Fremont School District #215, and Exhibit D- Sugar Salem School District #322. These exhibits are incorporated herein by reference.

5. The respective school district representatives, to-wit: superintendents, reiterated the school district opinion in informal meetings which correspond with the written statements of Exhibits C and D.
6. A notice of formal meeting was published in the Standard Journal, a newspaper of general circulation, which is marked as Exhibit E and noted herein and incorporated by reference. Additionally, a written notice of hearing was sent to the organizer of the petition, Tiffany Stanger.
7. A hearing was conducted on Friday, October 6, 2017, per the published notice.
8. Those appearing at the hearing were in support of the petition to annex. Some questions were asked, per the hearing officer, as follows:
  - A. Would the annexation affect grade school students? The answer was yes and these students would have to be transferred to Sugar Salem School District grade schools unless granted exceptions by the Fremont School District to attend classes in the grade school in Teton, Idaho.
  - B. Would the annexation affect the taxing revenues? The answer was yes that it would take funding from the Fremont School District and remit to the Sugar Salem School District. The mill levy in Sugar Salem School District, historically, is almost an average of twice that of the Fremont School District. A chart of the levies was lodged with the hearing officer.



- C. Would the annexation affect busing of students? The answer was yes and Tiffany Stanger indicated that she had discussed this matter with the Sugar Salem School District who would provide more bus stops to accommodate students if the annexation were approved. A letter was lodged with the hearing officer from Jeff Luthy, transportation director supporting new busing routes if the petition were accepted.
- D. Does the Sugar Salem School District have room for additional students? This question was inferential by indicating that most of the upper division students, in the area in question, currently attend Sugar Salem School District by “open enrollment application each year”. However, the Sugar Salem School District is challenged by space size at the current level according to the District and the attendees of the hearing. The attendees updated on the number of students that would be affected at the grade school level and the upper division level of students.
- E. Written letters of support for the proposal were lodged with the hearing officer.

### CONCLUSIONS

1. The petition, with amendments, substantially complies with the legal requirements contained in IDAPA 08 Title 02 Chapter 01 and Idaho Code Title 33 Chapter 300 et. al.
2. The petition, information collected and statements were in conformity with the IDAPA regulations and statutory cites set forth above. The hearing notice was proper and sent to allow due process to all affected or interested individuals.
3. Those factors weighing against annexation are as follows: increased tax

valuation to land owners in the proposed annexation area; change of revenue to each school district; transfer of elementary students to near-by schooling to more distant schooling; the potential for over-crowding to Sugar Salem School District #322.


4. Those factors weighing in favor of the proposed annexation are as follows: most of the upper division students in the area in question are currently attending Sugar Salem School District #322; Sugar Salem School District #322 does not object to the proposed annexation; elementary children could petition for “open enrollment” into the Fremont School District #215 to avoid travel distance; a vote of the residents/landowners in question would ascertain the true feelings of the majority of said individuals.

#### RECOMMENDATION

The hearing officer has reviewed IDAPA 08.02.01.050.03 and finds that the alteration as proposed would not leave a school district with a bonded debt in excess of the limit proscribed by law; the alteration is in the overall best interests of the students; the safety and distance concerns are addressed herein and could be accommodated; the views presented were generally in favor of the annexation petition; the students would have little, if any, adjustments since most are attending the school district of their choice at the present time under “open enrollment policies” in each school district. However, a concern does exist as to the capacity of the Sugar Salem School District #322 to accommodate capacity and school size although there is overall community support for the proposal.

After review of the pro and con evidence and opinions of all concerned, the recommendation is to allow a vote by the affected landowners of the annexation parcel to determine the will of the majority of patrons.

DATED this 13<sup>th</sup> day of October, 2017




ROBIN D. DUNN  
HEARING OFFICER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am a duly licensed attorney for the State of Idaho, resident of and with my office at Rigby, Idaho; that I served a true and correct copy of the foregoing by delivering the same to each of the following individuals/entities by the method indicated below:

Byron Stutzman	208.624-3385 (f)	
Alan V. Dunn	208.356-7237 (f)	
Tiffany Stanger	<u>tiffany.stanger@gmail.com</u>	(unsigned copy w/o attachments)
Helen Price Department of Education	<u>hprice@sde.idaho.gov</u>	copy e-mailed and originals w/ attachments sent regular mail

Dated: 10/13/17



Robin D. Dunn, Esq.  
DUNN LAW OFFICE, PLLC

**EXHIBIT A**

Proposed Sugar Salem District Boundary Change Petition

pg 1

Name	Address	Phone	Signature	
Jill Hansen	240 E. 50 S.	709-6558	Jill Hansen	2
Paula Wescott	116 E. Main	351-4324	Paula Wescott	
Matt Hansen	240 E 50 S	709-6559	Matt Hansen	
Kameron Dayley	230 E 50 S	208-319-2855	Kameron Dayley	1
Cindy Beck	236 E 50 S	208-360-4412	Cindy Beck	
David Beck	236 E 50 S	208-317-2046	David Beck	
RON OVERSON	217 E. 50 S.	208-705-7899	Ron Overson	3
Nancy Perrett	50 S. 3 <sup>rd</sup> E	208-313-4320	Nancy Perrett	
Ernst Thompson	225 E. 1 <sup>st</sup> S	208-206-4862	Ernst Thompson	
Jaybe Thompson	225 E. 1 <sup>st</sup> S	208-313-3435	Jaybe Thompson	
Jessi Hobbs	224 E. 1 <sup>st</sup> S	208-851-0073	Jessi Hobbs	1+2
Susan Tuttle	224 E 1 <sup>st</sup> S	208-419-2285	Susan Tuttle	4
Fanni Siivola	260 E. 1 <sup>st</sup> S.	208-351-7876	Fanni Siivola	
Crystal Bruce	120 E. 1 <sup>st</sup> S.	351-263-1183	Crystal D. Bruce	
Thompson	11 S 2nd E	208 301 5050	Thompson	
KATA THOMPSON	49 S 2nd E	208 301 6075	KATA THOMPSON	
Rae Elliott	46 S. 2 <sup>nd</sup> E	208-503-9116	Rae Elliott	
Nelvin Small	123 E. 1 <sup>st</sup> S.	208-351-1489	Nelvin Small	
Mary Burrell	123 E 1 <sup>st</sup> S.	208-313-0915	Mary Burrell	
SARAH WALKER	115 E 1 <sup>st</sup> S	208-881-1314	SARAH WALKER	
Dexter Walker	115 east 1 <sup>st</sup> south	801-390-2573	Dexter Walker	
A. J. Witte Olson	110 E 1 <sup>st</sup> South	302-468-4246	A. J. Witte Olson	

pg 2

Proposed Sugar Salem District Boundary Change Petition

Name	Address	Phone	Signature	
Al Siddoway	P.O. Box 316	313-9287	Al Siddoway	
Lisa Siddoway	42 <sup>nd</sup> S 13 <sup>th</sup> E	"	Lisa Siddoway	
Lee Schwendiman	<sup>505 CENTER</sup> P.O. Box 185	313-9307	Lee Schwendiman	
Angie Schwendiman	<sup>505 CENTER</sup> P.O. Box 185	709-7184	Angie Schwendiman	(4)
Robert Kitchell	P.O. Box 337	(360) 595-1214	Robert Kitchell	+1
Jud Squires	45 W. main	208-200-3670	Jud Squires	
Miriam Stewart	<sup>Teton</sup> 107 W. Main	458-4310	Miriam Stewart	
Rick McIver	<sup>TETON</sup> 16 SOUTH 15 <sup>th</sup> West	821-2331	Rick McIver	
Tara Hekanson	10 S 3 W	801-915-0094	Tara Hekanson	(1)+2
Maria Hekanson	10 S 3 W	208-650-9092	Maria Hekanson	
Phil Sothern	19 <sup>th</sup> 3 W	339-4592	Phil Sothern	
Opie Sothern	19 <sup>th</sup> 3 W	339-4592	Opie Sothern	
[Signature]	<sup>505 1st East</sup> P.O. Box 349	396-5679	[Signature]	
Lillian Huseli	<sup>505 1st East</sup> P.O. Box 349	390-4280	Lillian Huseli	(1)
Jordan Gardner	<sup>130 E 13 S</sup> P.O. Box 87	313-2856	Jordan Gardner	(1)
Karen Gardner	<sup>130 E 13 S</sup> P.O. Box 87	680-2116	Karen Gardner	(1)
Wanda Gardner	<sup>415 CENTER</sup> P.O. Box 115	208-220-8767	Wanda Gardner	(1)
Chad Gardner	<sup>415 CENTER</sup> P.O. Box 115	208-351-2268	Chad Gardner	
Karen Parker	<sup>240 E HY 23</sup> P.O. Box 6	709-458-4492	Karen Parker	
Lyndee Gardner	<sup>B395 15<sup>th</sup> E</sup> Box 163	208-458-4492	Lyndee Gardner	
Rogger Jensen	24 S Center	208-221-4369	Rogger Jensen	
Norma Valdez	121 S Center #3	208-821-1781	Noel, Tatiana	(2) Salinas

Nola Jensen	3226 N 5000E	359-9092	Nola Jensen
Mary Ward	3456 N. 5000 E.	313-3714	Mary Ward
Wade W. Ward	3456 N. 5000E.	313-3710	Wade W. Ward
Christy Fyfe	3911 N 5000 E	317-8726	Christy Fyfe
Jeremy Fyfe	3911 N 5000 E		Jeremy Fyfe
Melsie Siddoway	3805 N 7000 E	390-3283	Chad Siddoway
Thomas Siddoway	3805 N 7000 E	390-3299	Thomas Siddoway
Utilio Hernandez	3985 N-6000E	458 0011	Utilio Hernandez 2

### Proposed Sugar Salem District Boundary Change Petition

Name	Address	Phone	Signature
Christina Valdez	125 W main st	208-351-4049	Christina Valdez
IGNACIO VALDEZ	125 W main st	208-240-1767	IGNACIO VALDEZ
Guadalupe Valdez	121 S center		Guadalupe Valdez
Zach Truax	714 3rd E	308-261-2471	Zach Truax
Dani Andrews	245 E 1st S.	208-351-6136	Dani Andrews 4
Cameron Andrews	245 E, 1st S	208-351-2485	Cameron Andrews
Harold Comer	4457 W Hwy 33	208-390-9616	Harold Comer

# Proposed Sugar Salem District Boundary Change Petition

Name	Address	Phone	Signature
JENSEN CHERI LYN TRUSTE	Parcel # RP06N41E057585; RP06N41E059217		
Ann Ferrens	Parcel # RP06N41E067211		
POCOCK JOHN ETUX	Parcel # RP06N40E019020		
Nathan Ashcraft	Parcel # RP06N40E018800		
Russell Biggs	194 8 <sup>th</sup> Ave E	351-9092	Russell Biggs
Paul Hansen	3975 N 6000 E	458-4202	Paul Hansen
Kelly Baker	185 MAIN TETON 4771 E 4000 N SUITE 136 E MAIN STR.		Kelly Baker
Thomas Siddoway Chelsie Siddoway	3805 N 7000 E	390-6299 390-3283	Thomas Siddoway Chelsie Siddoway
Christy Fyfe	3911 N 1000 E	317-8796	Christy Fyfe
Wayne Baker	4503 E Hwy 33	268-4337	Wayne Baker



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	2015-2016 Tax Base:	2016-2017 Tax Base:	Increase
<u>Dist. 215</u>	\$1,561,135,989	\$1,570,950,033	\$ 9,814,044
<u>Dist. 322</u>	\$257,439,953	\$ 266,734,153	\$ 9,294,200

(Data obtained from Idaho Department of Education Website, "Tax levies for school purposes")

As Petitioners, we trust that the Board of Trustees of both Districts will recognize that with so many children already attending District 322, we strongly perceive ourselves as being a part of the District 322 community. We look forward to being "full patrons" of District 322 and we trust that both Districts will focus on what is best for the students and the families involved.

We respectfully request that the School Boards of District 215 and District 322 and the Idaho State Board of Education favorably consider our request to be excised from District 215 and be annexed to District 322.

Respectfully,

The Petitioners as signed on the preceding petition.

Proposed Sugar Salem District Boundary Change Petition

Name	Address	Phone	Signature
Bernice Smith	25 S. 1 <sup>W</sup>	435-764-0493	Bernice Smith
Kim Copley	120W 1 <sup>st</sup> S	208-201-6578	Kim Copley (3)
Katie Summers	47 S. 2nd W.	206-6089	Katie Summers
TYLER SUMMERS	47 S 2 W	346-0987	Tyler Summers
Katrena Orme	225 W 1 <sup>st</sup> S.	208-351-4107	Katrena Orme
Reed Miller	220 W 1 <sup>st</sup> S.	208-201-0969	Reed Miller (2)
JOE LAW	75 S. 3rd W.	208-206-4142	Joe Law
Sherstin Law	75 S. 3 <sup>rd</sup> W.	208-458-4784	Sherstin Law
TERRY THOMSON	21 SOUTH 3RD W	208-390-4770	Terry Thomson
John Rosdorff	50 <sup>th</sup> 320 W	208-458-4116	John Rosdorff
Angie K. Rosdorff	50 S 3 <sup>rd</sup> W.	208-458-4116	Angie K. Rosdorff
Terra Belmont	1625 3 <sup>rd</sup> W	208-351-8768	Terra Belmont
Marion Roberts	104 S 3 <sup>rd</sup> W	208-458-4250	Marion Roberts
Brandon Miller	305 W 1 <sup>st</sup> S	208-243-7594	Brandon Miller
Angie Wood	317 W. Main	208-351-2760	Angie Wood
Linda Voss	207 W. M	208-458-4113	Linda Voss
MAX CooL	205 W. M	208-951-4657	Max CooL
Saved Mace	49 S. Center	208-419-9167	Saved Mace
Brooke Mace	49 S CENTER	208-419-9241	Brooke Mace (3)
PaciL Valora	3965 N 5000 E	208-313-4281	PaciL Valora
Niler Little	55 4 <sup>th</sup> W	208-351-5895	Niler Little

Kathryn Meabery 208-709-8958

# Proposed Sugar Salem District Boundary Change Petition

Name Address Phone Signature

TODD SIDDOWNAY DEANNA SIDDOWNAY	Parcel # RP06N41E062413		
LAMOYNE PARKER	Parcel # RP06N41E062408; RP06N41E066603; RP06N41E066909		
<i>Floyd Gardner</i>	<i>RP06N41E061607</i>		
PHYLLIS D BOND	Parcel # RP06N41E053290 & RP06N41E053601		
DALLAS LEAVITT AND VEDA FAMILY TRUST	Parcel # RP06N41E053889		
WARD & SONS FAMILY LTD PRT	Parcel # RP06N41E063030; RP06N41E064820		
REES FARMS, LLC	Parcel #RP06N41E060601		
KELLY BAKER	Parcel # RP06N41E061201; <del>RP06N41E0610008</del>	<i>390-4111</i>	<i>Kelly Baker</i>
	<i>4735 E Hwy 33 Sub A</i>		<i>Kelly Baker</i>
GEORGE BRIGGS SANDRA BRIGGS	Parcel # RP06N41E060005	<i>George &amp; Sandra Briggs</i>	<i>458-4914</i>
MELVIN HARRIS	Parcel # RP06N41E061801		
Ray & Darla Crain	Parcel # RP06N41E052410		
Kent Butikofer	Parcel #RP06N41E055759		
Crawley Farms, LLC	Parcel # RP06N41E054801; RP06N41E067202		
DENTON R FARMS SIDDOWNAY, LMT	Parcel # RP06N41E056601; RP06N41E050002	<i>458-4001</i>	<i>Steph Siddoway Renee Siddoway</i>

3

**EXHIBIT B**

**LEGAL DESCRIPTION  
SCHOOL DISTRICT ANNEXATION PARCEL**

A tract of land currently being a portion of the Fremont County Joint School District No. 215, lying entirely within Township 6 North, Range 40 East, and Township 6 North, Range 41 East of the Boise Meridian, Madison County, Idaho, and within Township 7 North, Range 40 East, and Township 7 North, Range 41 East of the Boise Meridian, Fremont County, Idaho, being more particularly described as follows:

All of the NE  $\frac{1}{4}$  of Section 2, said Township 6 North, Range 40 East;

All of the NW  $\frac{1}{4}$ , NE  $\frac{1}{4}$ , and SE  $\frac{1}{4}$  of Section 1, said Township 6 North, Range 40 East;

All of Section 6, said Township 6 North, Range 41 East;

All of Section 5, said Township 6 North, Range 41 East;

All of the W  $\frac{1}{2}$  of Section 4, said Township 6 North, Range 41 East;

All of that portion of the SE  $\frac{1}{4}$  of Section 36, said Township 7 North, Range 40 East, lying southerly of Idaho State Highway No. 33, a public road;

All of that portion of the S  $\frac{1}{2}$  of Section 31, said Township 7 North, Range 41 East, lying southerly of said Idaho State Highway No. 33, including Blocks 17 through 32 of the Townsite of Teton City;

All of that portion of the SW  $\frac{1}{4}$  of Section 32, said Township 7 North, Range 41 East, lying southerly of said Idaho State Highway No. 33.

Prepared by:

Richard B. Byrem, Idaho PLS 7381  
Forsgren Associates, Inc.  
350 North 2<sup>nd</sup> East, Rexburg, ID 83440  
(208) 356-9201



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

Petition to Change District Boundaries

Dear Trustees,

We, the undersigned, do respectfully petition that the following described real property be excised from Fremont School District 215 and be annexed into Sugar-Salem District 322, to wit:

LAND LOCATED IN THE NORTHEAST  $\frac{1}{4}$  SECTION 2, TOWNSHIP 6 NORTH RANGE 40 EAST.

LAND LOCATED IN NORTH  $\frac{1}{2}$  SECTION 1, TOWNSHIP 6 NORTH RANGE 40 EAST.

LAND LOCATED IN SOUTHEAST  $\frac{1}{4}$  SECTION 1, TOWNSHIP 6 NORTH RANGE 40 EAST.

LAND LOCATED IN ALL OF SECTION 6, TOWNSHIP 6 NORTH RANGE 41 EAST.

LAND LOCATED IN ALL OF SECTION 5, TOWNSHIP 6 NORTH RANGE 41 EAST.

LAND LOCATED IN WEST  $\frac{1}{2}$  SECTION 4, TOWNSHIP 6 NORTH RANGE 41 EAST.

A PORTION OF LAND LOCATED SOUTH OF MAIN ST/HWY 33 THE SOUTHEAST OF THE SOUTHEAST  $\frac{1}{4}$ , SECTION 36, TOWNSHIP 7 NORTH RANGE 40 EAST.

A PORTION OF LAND LOCATED SOUTH OF MAIN ST/HWY 33, GOVERNMENT LOT 4, SOUTHEAST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$ , SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$ , SOUTHEAST  $\frac{1}{4}$  SOUTHEAST  $\frac{1}{4}$  SECTION 31, 7 NORTH RANGE 41 EAST.

A PORTION OF LAND LOCATED SOUTH OF MAIN ST/HWY 33 THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  SECTION 32, TOWNSHIP 7 RANGE 41 EAST.

The maps showing the boundaries of both districts as they presently appear and as they would appear should the excision and annexation be approved are attached as Exhibit A and B respectively.

Also included is an outline of reasons for making this request (Exhibit C).

The majority of school age children (K-12) residing in the area described in the petition and thereby directly affected by this decision currently attend District 322.

As patrons of Sugar-Salem School District 322 we will assume our proportionate share of any bonded debt and also the interest thereon.

As outlined in the letter attached as Exhibit C, there are numerous reasons for submitting this petition. However the overwhelming reason that we make this request is that we believe this change is in the best interest of the children and families involved.

## Exhibit C

### Reasons for submitting this Petition

This letter is written in support of a Petition to Change District Boundaries. Pursuant to Chapter 308 of Section 33 of the Idaho code, the attached petitioners request a School District Boundary change be made in order for the parcels of land identified in the petition be excised from the Fremont School District 215 and annexed to the Sugar-Salem School District 322.

In making this request we have not considered the relative strengths and qualities of the two districts; we simply consider ourselves to be a part of Sugar-Salem School District 322-community. We also believe that this change will be in the best interest of the school age children currently affected, as well as any future children, and we believe the impact to both districts will be minimal. The following outlines our reasoning for this request:

1. **In the midst of a 322 Community.** All land to the West, South and East of the proposed boundary change is District 322.
2. **Majority of students want to attend District 322.** Numerous children have been rejected from District 322 due to lack of space and funding while their siblings have been accepted, thus separating siblings. Most of the children in the proposed area already attend District 322.
3. **Distance.** The distance from the corner of 3000 N and 5000 E to the Sugar-Salem High School is 3.1 miles. The distance from the same location to the Fremont High School is 12 miles.
4. **Annual Petition.** Although we consider ourselves to be a part of the School District 322 community, we must annually petition District 322 Board of Trustees each year to assure that our children will be allowed to attend District 322 for the following school year. While we appreciate the district's willingness to grant our yearly requests, granting this request for a change in district boundaries would eliminate this annual task and the possibility of denial. Removing this constant "uncertainty" would definitely be in the best interest of the children.
5. **Safety of the children.** The current transportation rules prohibit buses from District 322 to stop in District 215 boundaries to pick up and drop off students. The majority of the students are currently walking or being driven to one of the designated pick up sites. Over half of the year it is still dark and below freezing in the mornings.
6. **Minimal effect to tax base.** As most of the students living within the proposed boundary change attend school in District 322, there will be a minimal effect for the reduction of students on District 215. We do recognize that District 215 will lose tax base on the homes and agricultural land, but given the massive size of District 215's tax base verses the relatively modest tax base of District 322, we think an insignificant change in tax base should not be a deciding factor to the request. The following data shows the relative size comparisons of the two Districts' tax bases.

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

**From:** Helen Price  
**To:** "Tiffany Stanger"  
**Subject:** RE: District Annexation/Excision Process  
**Date:** Monday, July 24, 2017 10:39:00 AM

---

Thank you, Tiffany. I will add this email to the petition that will be forwarded to the hearing officer.

Best-

Helen Price

Program Specialist, Board Materials & Rules

Idaho State Department of Education

208.332.6812

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**From:** Tiffany Stanger [mailto:tiffany.stanger@gmail.com]  
**Sent:** Monday, July 24, 2017 9:53 AM  
**To:** Helen Price <hprice@sde.idaho.gov>  
**Subject:** Re: District Annexation/Excision Process

I received your letter. There are approximately 72 children affected in the district boundary change. (The numbers fluctuate due to families moving in and out of the area) 42 of those already attend Sugar- Salem District. I am working on finding an attorney to write out the land information. Thank you. Tiffany Stanger

On Jun 14, 2017, at 9:07 AM, Helen Price <hprice@sde.idaho.gov> wrote:

Ms. Stanger-

I received a fax from the Sugar-Salem school District yesterday that that included an annexation petition. The maps were illegible. When I called the district this morning to ask that they mail the annexation petition and the letter from the district, I was told that the petitioner asked them to fax it to the SDE but then took the packet back. If you are the petitioner who took the packet back from Sugar-Salem, please mail the petition packet and board recommendation to:

State Department of Education

Attn: Helen Price

650 W State Street, 2<sup>nd</sup> Floor

Boise ID 83702

I've been in touch with the Superintendent at Fremont, and he knows that he will need to retain the petition and send it and the Fremont Board's letter to me.

Best-

Helen Price

Program Specialist, Board Materials & Rules

Idaho State Department of Education

208.332.6812

---

**From:** Helen Price  
**Sent:** Thursday, June 08, 2017 11:05 AM



**EXHIBIT C**

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**FREMONT COUNTY JOINT SCHOOL DISTRICT #215**945 West 1<sup>st</sup> North  
St. Anthony, ID 83445Phone: (208) 624-7542  
Fax: (208) 624-3385www.sd215.net

---

September 14, 2017

Robin Dunn, Esp.  
447 Pleasant Country Lane  
Rigby, Idaho 83442

Dear Mr. Dunn,

Please consider this letter as my input for the hearing which you have been appointed as hearing officer. I would like to reiterate the reasons Fremont County Joint School District No. 215 Board of Trustees recommendation to deny the petition to change the boundaries between Fremont County Joint School District No. 215 and Sugar/Salem Joint School District No. 322.

Our recommendation is based on the following matters:

1. The petition only discussed the physical proximity of a single school building to the property at issue in the petition. There is no discussion as to the location of any other school building for either of the Districts. In fact, the Fremont County Joint School District has a school building within the city limits of Teton. The petitioners are seeking to effectively annex ½ of the City of Teton into the Sugar/Salem School District. Thus while the petitioner is addressing the proximity of a high school building and commuting distances, the exact opposite situation is not being addressed with regard to the building located within Teton city limits and the need to transport students who would be attending this geographically close school to a different location within Sugar/Salem.
2. Idaho Code 33-308(2)(b) requires the petition to include a legal description of the areas proposed to be excised and that such legal description must be prepared by a licensed attorney, licensed professional land surveyor or licensed professional engineer professional trained and experienced in legal descriptions of real property. There is no indication that the property description provided by the petitioner meets this requirement. There is no stamp marking from any professional land surveyor or engineer and no indication of any other experienced professional, as required by statute, having prepared this description or corresponding map. Further, the description itself does not appear in the language nor use the specificity of detail that would be expected of the required professionals. This is of particular importance not simply because it is required by statute but, as demonstrated with the attached map, specific detail as to “portions” of four (4) identified lots.
3. Idaho Code 33-308(2)(f) requires the petition to include an estimate of the number of children residing in the area described in the petition. The petition in question is

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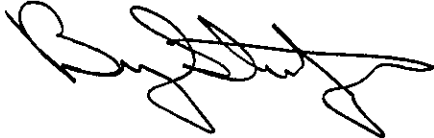
*Byron Stutzman*—Superintendent*Benjamin Garcia*—Director of Special Services/Federal Programs*Misty Wocelka*—Accounts Payable**SDE***Karen Daw*—Transportation Supervisor*Hali Mackert*—Business Manager/Foods*Jamie Hymas*—Human Resources/Business*Tracy Smith*—Technology Services

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

- entirely deficient in this regard. There is no attempt at identification of student numbers at issue.
4. The reasoning stated is due to concerns about a number of students being denied open enrollment due to lack of space and funding. Simply changing boundary lines isn't going to improve the situation in Sugar/Salem School District with regard to limitations in space and funding. If anything, such would compound the limitations, specifically with regard to space. Further, the vast majority of students who wish to have an opportunity to utilize open enrollment alternatives have the option to attend at either district.
  5. The economic impact of the proposed boundary modification has not been fully detailed nor explained. The petition makes reference to "minimal effect to tax base." This is actually factually inaccurate. The Fremont County Joint School District has a mil levy rate of .002415166 as compared to the mile levy rate of Sugar/Salem at .005113926 (2017). This would be a doubling of the tax obligation of the individuals who reside within the identified property at issue. Further, without any attempt at identification of the number of children who reside within the geographical boundaries at issue (as required by section 33-308(2)(f)) it is not possible to address the actual economic impact to either district.

Again, as stated in our letter sent to the Idaho State Department of Education with the petition, it is deficient in meeting the statutory obligations of section 33-308, Idaho Code. Furthermore, kindergarten through 5<sup>th</sup> grade would have to travel much further to attend school in their district.

Sincerely,



Byron Stutzman, supt.  
Fremont County Joint School District

**EXHIBIT D**



## SUGAR-SALEM SCHOOL DISTRICT NO. 322

105 WEST CENTER • P. O. BOX 150 • SUGAR CITY, ID 83448 • PHONE (208) 356-8802 • FAX (208) 356-7237

June 6, 2017

Re: Proposed School District Boundary Change

Dear Sirs,

The Sugar-Salem School District #322 is a joint school district with territory in both Fremont and Madison Counties. (See exhibits A and B) We are bounded on the North by Fremont County School District #215 and on the South by Madison School District #321.

Several members of the Fremont County Joint School District #215 are requesting a boundary change to become part of Sugar-Salem School District. Their spokespersons are Mrs. Tiffany Stanger and Mrs. Christy Fyfe, residents of the area in question.

As you can see in the enclosures, they have provided a well documented request to both Fremont and Sugar-Salem school districts. As per Idaho Code we are responding to his request within the required ten (10) days.

At their most recent meeting of June 7, 2017 the Sugar Salem School District #322 Board of Trustees unanimously endorsed the request by Mrs. Stanger and Mrs. Fyfe and recommend to the Idaho State Board of Education that they approve said request.

We feel that each of the six reasons provided are valid and that the change in boundaries will be of marginal effect on Fremont School District. We also feel the change will have a definite and positive effect on all those living within the proposed area, especially when considering the safety of those children during winter months.

We sincerely hope you will consider this request and look forward to hearing from you at your earliest convenience. Please feel free to call us if you need any further information.  
Thank you.

Sincerely,

Handwritten signature of Alan V. Dunn in black ink.

Alan V. Dunn  
Superintendent of Schools

Handwritten signature of Kristin Galbraith in black ink.

Kristin Galbraith  
Chairperson,  
Sugar-Salem School District #322  
Board of Trustees

**Robin Dunn**

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**From:** Alan V. Dunn <adunn@sugarsalem.com>  
**Sent:** Thursday, September 14, 2017 3:53 PM  
**To:** Robin Dunn  
**Subject:** Re: Annexation/Boundary Change Hearing

Mr. Dunn,

The Board of Trustees and Superintendent of Schools of Sugar Salem School District #322 are supportive of the request for annexation as proposed. We feel that if the majority of individuals living in the area in question have signed a petition wishing to bring the question to a vote that they should have that opportunity.

Alan Dunn, Ed.S., Superintendent  
Sugar Salem School District #322  
PO Box 150/105 West Center  
Sugar City, Idaho 83448  
Office: (208) 356-8802 x1  
Cell: (208) 419-8618  
[adunn@sugarsalem.com](mailto:adunn@sugarsalem.com)  
[alanvdunn@gmail.com](mailto:alanvdunn@gmail.com)

On Thu, Sep 14, 2017 at 11:23 AM, Robin Dunn <[rdunn@dunnlawoffices.com](mailto:rdunn@dunnlawoffices.com)> wrote:

9/14/17

Dear Mr. Dunn

I am just trying to make a clear record of the desires of each district. Thus, if you have any opinions or just desire to do as stated in this email, you can write it in or letter or simply state you are unopposed to any action taken in this matter.

Sincerely,

Robin D. Dunn, Idaho Bar #2903

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

**From:** Alan V. Dunn [mailto:[adunn@sugarsalem.com](mailto:adunn@sugarsalem.com)]  
**Sent:** Monday, September 11, 2017 10:48 AM  
**To:** Robin Dunn  
**Cc:** Byron Stutzman  
**Subject:** RE: Annexation/Boundary Change Hearing

Mr. Dunn,

I am in receipt of your fax concerning the upcoming hearing on September 19, 2017 at the Madison County Courthouse in regard to the boundary change request by patrons of Fremont School District #215. From your fax, it appears that there may be some misunderstanding, on my part, about the nature of this hearing. I am under the impression that this boundary change was instigated by parents of students from Fremont District #215, not by either myself or Mr. Stutzman. I do not have any sort of presentation to make at the hearing since it is not my duty or responsibility to either promote or deny such a request. This is a matter between constituents of Fremont School District and the State Board of Education. My letter, which was part of their requesting packet, states the opinion of both the Board of Trustees and myself in the matter. We are happy to accept the members of the area in question but I am unsure of what other information you are requesting. Please respond and let me know. Thank you.

Alan Dunn, Ed.S., Superintendent  
Sugar Salem School District #322  
PO Box 150/105 West Center  
Sugar City, Idaho 83448  
Office: (208) 356-8802 x1  
Cell: (208) 419-8618

[adunn@sugarsalem.com](mailto:adunn@sugarsalem.com)

[alanvdunn@gmail.com](mailto:alanvdunn@gmail.com)

**EXHIBIT E**



# PROOF OF PUBLICATION

STATE OF IDAHO  
Madison and Fremont Counties

SJ 8259

KAREN MASON

IDAHO STATE DEPARTMENT OF EDUCATION  
NOTICE OF HEARING ON ANNEXATION

A petition has been filed by residents of Fremont School District #215 requesting that a portion of said district lying within Madison County, Idaho be annexed into the Sugar Salem School District #322. The legal description is on file with the undersigned and a complete copy can be requested. Generally, the area in question is Township 6 North Range 40 East and Township 6 North Range 41 E.B.M. Madison County, Idaho and within Township 7 North Range 40 East and Township 7 North Range 41 E.B.M. Fremont County, Idaho.

A preliminary hearing has been held with the representatives of both school districts. The public is now invited to attend and present information in support of or against the petition to annex. The annexation may affect the attendance of students in all grades for public schooling. The annexation could affect both school district taxing entities in a monetary fashion.

The hearing will be held on Friday, October 6, 2017 at the hour of 4:00 o'clock p.m. The hearing will be held in the Madison County Courthouse, Commissioner Room (1st Floor) in Rexburg, Idaho.

Dated: 9/26/2017

By: Robin D. Dunn, Hearing Officer  
208.745-9202  
rdunn@dunnlawoffices.com

Published October 3, 2017  
SJ8259

being first duly sworn on oath deposes and says: that SHE was at all times herein mention a citizen of the United States of America more than 21 years of age, and the Principal Clerk of the Standard Journal, a two times a week newspaper, published in Madison and Fremont Counties Idaho and having a general circulation therein. That the document or notice, a true copy of which is attached, was published in the said STANDARD JOURNAL, on the following dates, to-wit:

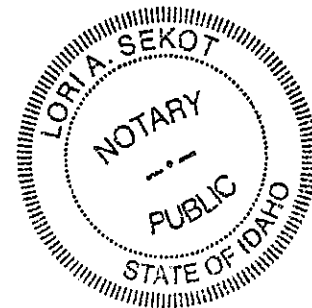
Oct. 03	2017	Oct. 03	2017
Oct. 04	2017	Oct. 04	2017
Oct. 05	2017	Oct. 05	2017
Oct. 06	2017	Oct. 06	2017

That said paper has been continuously and uninterruptedly published in said County for a period of seventy-eight weeks prior to the publication of said notice of advertisement and is a newspaper within the meaning of the laws of Idaho.

STATE OF IDAHO  
COUNTY OF Madison and Fremont

On this 03rd of Oct. in the year of 2017, before me, a Notary Public, personally appeared KAREN MASON Known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn declared that the statements therein are true, and acknowledge to me that he executed the same.

Notary of Public  
*Lori A. Sekot*  
Residing at Arimo  
My commission expires 3/31/2021





SUGAR-SALEM SCHOOL DISTRICT NO. 322  
105 WEST CENTER • P. O. BOX 150 • SUGAR CITY, ID 83448 • PHONE (208) 356-8802 • FAX (208) 356-7237

June 6, 2017

Re: Proposed School District Boundary Change

Dear Sirs,

The Sugar-Salem School District #322 is a joint school district with territory in both Fremont and Madison Counties. (See exhibits A and B) We are bounded on the North by Fremont County School District #215 and on the South by Madison School District #321.

Several members of the Fremont County Joint School District #215 are requesting a boundary change to become part of Sugar-Salem School District. Their spokespersons are Mrs. Tiffany Stanger and Mrs. Christy Fyfe, residents of the area in question.

As you can see in the enclosures, they have provided a well documented request to both Fremont and Sugar-Salem school districts. As per Idaho Code we are responding to his request within the required ten (10) days.

**At their most recent meeting of June 7, 2017 the Sugar Salem School District #322 Board of Trustees unanimously endorsed the request by Mrs. Stanger and Mrs. Fyfe and recommend to the Idaho State Board of Education that they approve said request.**

We feel that each of the six reasons provided are valid and that the change in boundaries will be of marginal effect on Fremont School District. We also feel the change will have a definite and positive effect on all those living within the proposed area, especially when considering the safety of those children during winter months.

We sincerely hope you will consider this request and look forward to hearing from you at your earliest convenience. Please feel free to call us if you need any further information.

Thank you.

Sincerely,

Handwritten signature of Alan V. Dunn in black ink.

Alan V. Dunn  
Superintendent of Schools

Handwritten signature of Kristin Galbraith in black ink.

Kristin Galbraith  
Chairperson,  
Sugar-Salem School District #322  
Board of Trustees

**FREMONT COUNTY JOINT SCHOOL DISTRICT #215**

945 West 1<sup>st</sup> North  
St. Anthony, ID 83445

Phone: (208) 624-7542  
Fax: (208) 624-3385

www.sd215.net

DOCUMENT RECEIVED

June 16, 2017  
Idaho State Department of Ed.  
650 West State Street  
Boise, ID. 83702

JUN 19 2017

State Department of Education

Pursuant to Section 33-308(3), Idaho Code, please find enclosed a copy of a petition that the District received seeking to change the boundaries between Fremont County Joint School District No. 215 and Sugar/Salem Joint School District No. 322. As per statutory requirement, this petition is being advanced within the ten (10) day period subsequent to our first regular Board Meeting held on June 15, 2017.

As also required by this statute, the District's Board is making a recommendation that the requested boundary modification be denied. Such recommendation is based on the following matters:

1. Idaho Code 33-308(2)(b) requires the petition to include a legal description of the areas proposed to be excised and that such legal description must be prepared by a licensed attorney, licensed professional land surveyor or licensed professional engineer professional trained and experienced in legal descriptions of real property. There is no indication that the property description provided by the petitioner meets this requirement. There is no stamp marking from any professional land surveyor or engineer and no indication of any other experienced professional, as required by statute, having prepared this description or corresponding map. Further, the description itself does not appear in the language nor use the specificity of detail that would be expected of the required professionals. This is of particular importance not simply because it is required by statute but, as demonstrated with the attached map, specific detail as to "portions" of four (4) identified lots.
2. Idaho Code 33-308(2)(f) requires the petition to include an estimate of the number of children residing in the area described in the petition. The petition in question is entirely deficient in this regard. There is no attempt at identification of student numbers at issue.
3. The reasoning stated is due to concerns about a number of students being denied open enrollment due to lack of space and funding. Simply changing boundary lines isn't going to improve the situation in Sugar/Salem School District with regard to limitations in space and funding. If anything, such would compound the limitations, specifically with regard to space. Further, the vast majority of students who wish to

*Byron Stutzman*—Superintendent

*Benjamin Garcia*—Director of Special Services/Federal Programs

*Misty Wocelka*—Accounts Payable

**SDE***Karen Daw*—Transportation Supervisor

*Hali Mackert*—Business Manager/Foods

*Jamie Hymas*—Human Resources/Business

*Tracy Smith*—Technology Services

**TAB 5 Page 33**

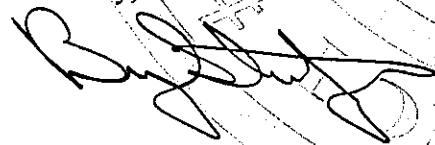
STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

have an opportunity to utilize open enrollment alternatives have the option to attend at either district.

4. The petition only discussed the physical proximity of a single school building to the property at issue in the petition. There is no discussion as to the location of any other school building for either of the Districts. In fact, the Fremont County Joint School District has a school building within the city limits of Teton. The petitioners are seeking to effectively annex ½ of the City of Teton into the Sugar/Salem School District. Thus while the petitioner is addressing the proximity of a high school building and commuting distances, the exact opposite situation is not being addressed with regard to the building located within Teton city limits and the need to transport students who would be attending this geographically close school to a different location within Sugar/Salem.
5. The economic impact of the proposed boundary modification has not been fully detailed nor explained. The petition makes reference to "minimal effect to tax base." This is actually factually inaccurate. The Fremont County Joint School District has a mil. levy rate of .002415166 as compared to the mile levy rate of Sugar/Salem at .005113926 (2017). This would be a doubling of the tax obligation of the individuals who reside within the identified property at issue. Further, without any attempt at identification of the number of children who reside within the geographical boundaries at issue (as required by section 33-308(2)(f)) it is not possible to address the actual economic impact to either district.

As the petition itself is deficient in meeting the statutory obligations of section 33-308, Idaho Code, the Fremont County Joint School District cannot recommend the boundary modification as proposed and further believes it would be inappropriate and premature for the state board to take action to submit the question to the electors.

Sincerely,



Byron Stutzman, supt.  
Fremont County Joint School District

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

Petition to Change District Boundaries

Dear Trustees,

We, the undersigned, do respectfully petition that the following described real property be excised from Fremont School District 215 and be annexed into Sugar-Salem District 322, to wit:

LAND LOCATED IN THE NORTHEAST ¼ SECTION 2, TOWNSHIP 6 NORTH RANGE 40 EAST.

LAND LOCATED IN NORTH ½ SECTION 1, TOWNSHIP 6 NORTH RANGE 40 EAST.

LAND LOCATED IN SOUTHEAST ¼ SECTION 1, TOWNSHIP 6 NORTH RANGE 40 EAST.

LAND LOCATED IN ALL OF SECTION 6, TOWNSHIP 6 NORTH RANGE 41 EAST.

LAND LOCATED IN ALL OF SECTION 5, TOWNSHIP 6 NORTH RANGE 41 EAST.

LAND LOCATED IN WEST 1/2 SECTION 4, TOWNSHIP 6 NORTH RANGE 41 EAST.

A PORTION OF LAND LOCATED SOUTH OF MAIN ST/HWY 33 THE SOUTHEAST OF THE SOUTHEAST ¼, SECTION 36, TOWNSHIP 7 NORTH RANGE 40 EAST.

A PORTION OF LAND LOCATED SOUTH OF MAIN ST/HWY 33, GOVERNMENT LOT 4, SOUTHEAST ¼ OF THE SOUTHWEST ¼, SOUTHWEST ¼ OF THE SOUTHEAST ¼, SOUTHEAST ¼ SOUTHEAST 1/4 SECTION 31, 7 NORTH RANGE 41 EAST.

A PORTION OF LAND LOCATED SOUTH OF MAIN ST/HWY 33 THE SOUTHWEST ¼ OF THE SOUTHWEST ¼ SECTION 32, TOWNSHIP 7 RANGE 41 EAST.

The maps showing the boundaries of both districts as they presently appear and as they would appear should the excision and annexation be approved are attached as Exhibit A and B respectively.

Also included is an outline of reasons for making this request (Exhibit C).

The estimated number of school age children (K-12) residing in the area described in the petition and thereby directly affected by this decision is 70.

As patrons of Sugar-Salem School District 322 we will assume our proportionate share of any bonded debt and also the interest thereon.

As outlined in the letter attached as Exhibit C, there are numerous reasons for submitting this petition. However the overwhelming reason that we make this request is that we believe this change is in the best interest of the children and families involved.

## Exhibit C

### Reasons for submitting this Petition

This letter is written in support of a Petition to Change District Boundaries. Pursuant to Chapter 308 of Section 33 of the Idaho code, the attached petitioners request a School District Boundary change be made in order for the parcels of land identified in the petition be excised from the Fremont School District 215 and annexed to the Sugar-Salem School District 322.

In making this request we have not considered the relative strengths and qualities of the two districts; we simply consider ourselves to be a part of Sugar-Salem School District 322-community. We also believe that this change will be in the best interest of the school age children currently affected, as well as any future children, and we believe the impact to both districts will be minimal. The following outlines our reasoning for this request:

1. **In the midst of a 322 Community.** All land to the West, South and East of the proposed boundary change is District 322.
2. **Majority of students currently attend District 322.** Approximately 70 school age children (K-12) reside in the area described in the petition. With 52 school age children currently attending District 322 and 20 school age children attending District 215. Of the 20 school age children attending District 215, 3 are from the same family and want to attend District 322 but have been denied admittance due to current IEP status or lack of space for their non-district status while their siblings have been accepted to District 322, thus separating siblings.
3. **Distance.** The distance from the corner of 3000 N and 5000 E to the Sugar-Salem High School is 3.1 miles. The distance from the same location to the Fremont High School is 12 miles.
4. **Annual Petition.** Although we consider ourselves to be a part of the School District 322 community, we must annually petition District 322 Board of Trustees each year to assure that our children will be allowed to attend District 322 for the following school year. While we appreciate the district's willingness to grant our yearly requests, granting this request for a change in district boundaries would eliminate this annual task and the possibility of denial. Removing this constant "uncertainty" would definitely be in the best interest of the children.
5. **Safety of the children.** The current transportation rules prohibit buses from District 322 to stop in District 215 boundaries to pick up and drop off students. The majority of the students are currently walking or being driven to one of the designated pick up sites. Over half of the year it is still dark and below freezing in the mornings.
6. **Minimal effect to tax base.** As most of the students living within the proposed boundary change attend school in District 322, there will be a minimal effect for the reduction of students on District 215. We do recognize that District 215 will lose tax base on the homes and agricultural land, but given the massive size of District 215's tax base verses the relatively modest tax base of District 322, we think an insignificant change in tax base should not be a deciding factor to the

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

request. The following data shows the relative size comparisons of the two Districts' tax bases.

	<b>2015-2016 Tax Base:</b>	<b>2016-2017 Tax Base:</b>	<b>Increase</b>
<b><u>Dist. 215</u></b>	\$1,561,135,989	\$1,570,950,033	\$ 9,814,044
<b><u>Dist. 322</u></b>	\$257,439,953	\$ 266,734,153	\$ 9,294,200

(Data obtained from Idaho Department of Education Website, "Tax levies for school purposes")

As Petitioners, we trust that the Board of Trustees of both Districts will recognize that with so many children already attending District 322, we strongly perceive ourselves as being a part of the District 322 community. We look forward to being "full patrons" of District 322 and we trust that both Districts will focus on what is best for the students and the families involved.

We respectfully request that the School Boards of District 215 and District 322 and the Idaho State Board of Education favorably consider our request to be excised from District 215 and be annexed to District 322.

Respectfully,

The Petitioners as signed on the preceding petition.

Proposed Sugar Salem District Boundary Change Petition

pg 1

Name	Address	Phone	Signature	
Jilya Hansen	240 E. 50 S.	709-6558	Jilya Hansen	2
Paula Wescott	116 E. Main	351-4924	Paula Wescott	
Matt Hansen	240 E 50 S	709-6559	Matt Hansen	
Kameron Dayley	230 E 50 S	208-319-2055	Kameron Dayley	1
Cindy Beck	236 E 50 S	208-360-4412	Cindy Beck	
David Beck	236 E 50 S	208-317-2046	David Beck	
RON OVERSON	217 E. 50 S.	208-705-7899	Ron Overson	3
Neerdy Pruitt	50 S. 2nd E	208-313-4390	Neerdy Pruitt	
David Thompson	225 E. 1 S	208-206-4862	David Thompson	
Jayba Thompson	225 E. 1 S	208-313-3435	Jayba Thompson	
Jessi Hobbs	224 E. 1st S	208-851-0073	Jessi Hobbs	1+2
Susan Tuttle	25th E 1st S	208-419-2285	Susan Tuttle	4
Lynni Swisher	260 E. 1st S.	208-351-7816	Lynni Swisher	
Crystal Bruce	120 E. 1st S.	351-263-1183	Crystal D. Bruce	
Katie Thompson	49 S 2nd E	208 300 6075	Katie Thompson	
Kara Elliott	46 S. 2nd E	208-303-9116	Kara Elliott	
William Small	123 E. 1st S.	208-351-1489	William Small	
Mary Burrell	123 E 1st S.	208-313-0915	Mary Burrell	
SARAH WALKER	115 E 1st S	208-881-1314	SARAH WALKER	
Dexter Walker	115 east 1st south	801-390-2573	Dexter Walker	
A. J. Wattle (Clerk)	110 E 1st South	302-468-4246	A. J. Wattle (Clerk)	



Proposed Sugar Salem District Boundary Change Petition

Name	Address	Phone	Signature	
Al Siddoway	P.O. Box 316	313-3287	[Signature]	
Lisa Siddoway	42 <sup>nd</sup> S. 13 <sup>th</sup> E	"	[Signature]	
Lee Schwendiman	<sup>50<sup>th</sup> Center</sup> P.O. Box 185	313-9307	[Signature]	
Angie Schwendiman	<sup>50<sup>th</sup> Center</sup> P.O. Box 185	709-7184	[Signature]	(4)
Robert Kitchell	P.O. Box 337	(360) 595-1214	[Signature]	+1
Jud Squires	45 W. main	208-200-3670	[Signature]	
Maurice Stewart	<sup>Teton</sup> 107 W Main	458-4310	[Signature]	
Rick Mower	<sup>TETON</sup> 16 SOUTH 1ST WEST	821-2331	[Signature]	
Jared Hekenson	10 S 3 W	301-915-0094	[Signature]	(1)+2
Monica Hekenson	10 S 3W	208-650-9092	[Signature]	
Phil Sothern	19 <sup>th</sup> 3 W	339 4592	[Signature]	
Opie Sothern	19 <sup>th</sup> 3 W	339 4592	[Signature]	
[Signature]	<sup>50<sup>th</sup> 1<sup>st</sup> East</sup> PO Box 349	396 5679	[Signature]	
[Signature]	<sup>50<sup>th</sup> 1<sup>st</sup> East</sup> PO Box 349	390-4280	[Signature]	(1)
JORDAN GARDNER	<sup>130<sup>th</sup> E 13<sup>th</sup> S.</sup> P.O. Box 87	313-2856	[Signature]	
Kearan Gardner	<sup>130<sup>th</sup> E 13<sup>th</sup> S.</sup> P.O. Box 87	680-2116	[Signature]	
[Signature]	<sup>41<sup>st</sup> Center</sup> PO Box 115	208-220-8767	[Signature]	(1)
Chad [Signature]	<sup>41<sup>st</sup> Center</sup> PO. Box 115	208-351-2068	[Signature]	
Karen Parker	<sup>240<sup>th</sup> E Hwy 33</sup> P.O. Box 6	209-458-4482	[Signature]	
[Signature]	<sup>B395 1<sup>st</sup> E</sup> Box 163	208-458-4122	[Signature]	
Roggy [Signature]	29 S Center	208-221-4369	[Signature]	
Norma Valdez	121 S Center #3	208-821-1781	[Signature]	(2) Salinas

Proposed Sugar Salem District Boundary Change Petition

Name	Address	Phone	Signature
Bernice Smith	25 S. 1 <sup>st</sup> W	435-764-0493	Bernice Smith
Kim Copley	120W 1 <sup>st</sup> S	208-201-6578	Kim Copley (3)
Katie Summers	47 S. 2nd W.	706-0089	Katie Summers
TYLER SUMMERS	47 S 2 W	346-0987	Tyler Summers
Katrena Orme	225 W 1 <sup>st</sup> S.	208-351-4107	Katrena Orme
Reed Miller	220 W 1 <sup>st</sup> S.	208-201-0969	Reed Miller (2)
JOE LAW	75 S. 3rd W.	208-206-4142	Joe Law
Sherstin Law	75 S. 3 <sup>rd</sup> W.	208-458-4784	Sherstin Law
TERRY THOMPSON	21 SOUTH 3RD W	208-390-4770	Terry Thompson
John Rosborough	50 <sup>th</sup> 320 W	208-458-4116	John Rosborough
Dyette Rosborough	50 S 3 <sup>rd</sup> W.	908-921-0861	Dyette Rosborough
Terra Betancourt	1625 3 <sup>rd</sup> W 16200	208-351-8768	Terra Betancourt
Marion Roberts	704 5 <sup>th</sup> 2 <sup>nd</sup> W	208-458-4250	Marion Roberts
Brandon Miller	305 W 1 <sup>st</sup> S	208-243-7594	Brandon Miller
Angie Wood	317 W. Main	208-351-2760	Angie Wood
Linda Voss	207 W - m	208-458-4113	Linda Voss
MAX CROOK	205 W. m	208-351-4697	Max Crook
Sarah Mace	49 S. Center	208-419-9167	Sarah Mace
Brooke Mace	49 S Center	208-419-9241	Brooke Mace (3)
Patricia Valera	3965 N 5000 E	208-313-4281	Patricia Valera
Patricia Valera	55 4 <sup>th</sup> W	208-351-5825	Patricia Valera

Kathryn Mcabe 208-709-8958

# Proposed Sugar Salem District Boundary Change Petition

Name Address Phone Signature

TODD SIDDOWNAY DEANNA SIDDOWNAY	Parcel # RP06N41E062413		
LAMOYNE PARKER	Parcel # RP06N41E062408; RP06N41E066603; RP06N41E066909		
<i>Floyd Gardner</i>	<i>RP06N41E0610657</i>		
PHYLLIS D BOND	Parcel # RP06N41E053290 & RP06N41E053601		
DALLAS LEAVITT AND VEDA FAMILY TRUST	Parcel # RP06N41E053889		
WARD & SONS FAMILY LTD PRT	Parcel # RP06N41E063030; RP06N41E064820		
REES FARMS, LLC	Parcel #RP06N41E060601		
KELLY BAKER	Parcel # RP06N41E061201; <del>RP06N41E06010008</del>	<i>390-41101</i>	<i>Kelly Baker</i>
	<i>4735 E Hwy 33 Sub 1A</i>		<i>Kelly Baker</i>
GEORGE BRIGGS SANDRA BRIGGS	Parcel # RP06N41E060005	<i>George n. Briggs Sandra &amp; Briggs</i>	<i>758-4914</i>
MELVIN HARRIS	Parcel # RP06N41E061801		
Ray & Darla Crain	Parcel # RP06N41E052410		
Kent Butikofer	Parcel #RP06N41E055759		
Crawley Farms, LLC	Parcel # RP06N41E054801; RP06N41E067202		
DENTON R FARMS SIDDOWNAY, LMT	Parcel # RP06N41E056601; RP06N41E050002	<i>458-4001</i>	<i>Steph Siddoway Renee Siddoway</i>

3



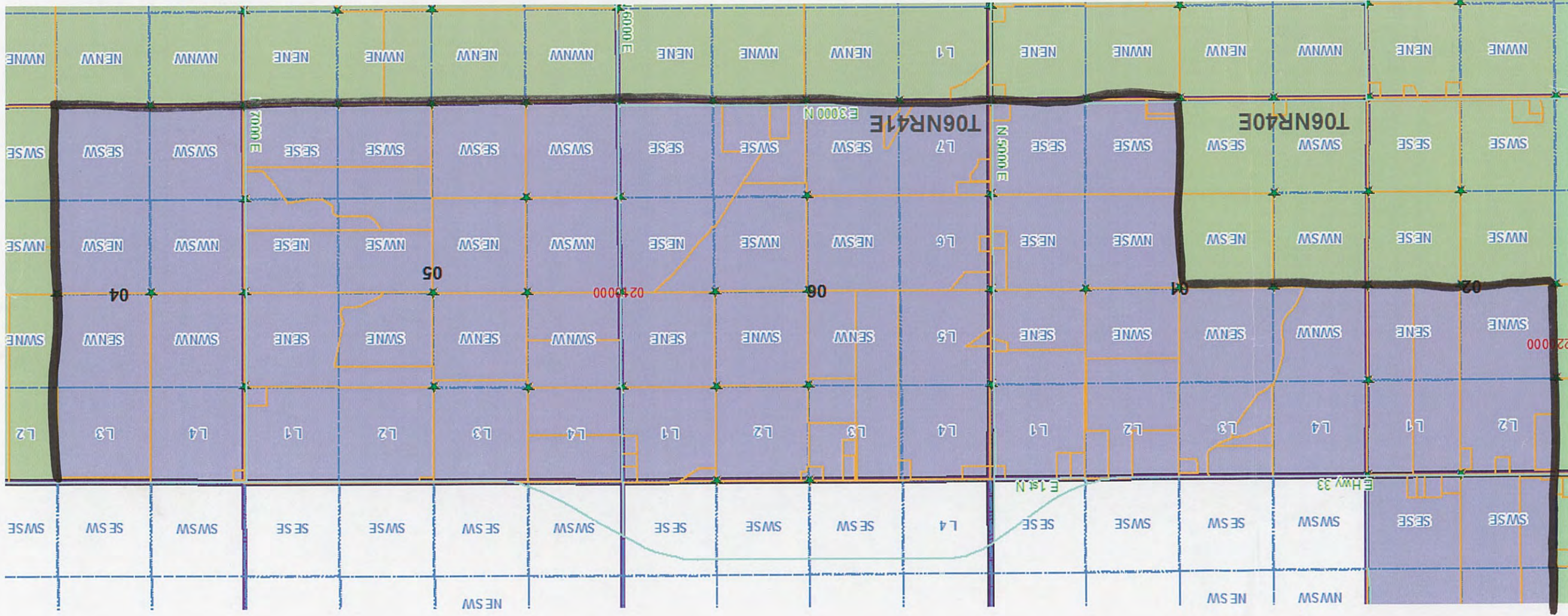
Nola Jensen 3226 N 5000 E 359-9092 Nola Jensen  
 Mary Ward 3456 N. 5000 E. 313-3714 Mary Ward  
 Wade W. Ward 3456 N. 5000 E. 313-3710 Wade W. Ward  
 Christy Fyfe 3911 N 1000 E 317-8726 Christy Fyfe  
 Jeremy Fyfe 3911 N 1000 E 317-8726 Jeremy Fyfe  
 Chelsie Siddoway 3865 N 7000 E 390-3283 Chelsie Siddoway  
 Thomas Siddoway 3805 N 7000 E 390-3299 Thomas Siddoway  
 Utilio Hernandez 3985 N-6000 E 458 0011 Utilio Hernandez 2

Proposed Sugar Salem District Boundary Change Petition

Name	Address	Phone	Signature
Christina Valdez	125 W main st	208-351-4049	Christina Valdez
IGNACIO VALDEZ	125 W main st	208-240-1767	IGNACIO VALDEZ
Guadalupe Valdez	121 S center		Guadalupe Valdez
Zach Truesdell	716 3rd E	708-261-2771	Zach Truesdell
Dani Andrews	245 E 1st S.	208-351-6136	Dani Andrews
Cameron Andrews	245 E. 1st S	208-351-2485	Cameron Andrews
Harold Comer	4457 W Hwy 33	908-390-9616	Harold Comer
SDE			TAB 5 Page 43



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017



Current Boundary  
Exhibit A  
TAB 5 Page 44



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017



SUGAR SALEM SCHOOL DISTRICT #322 POLICY

TITLE: Non-Resident Enrollment

NUMBER: 3053B  
NEW: January 1995  
REVISED: April 2017

The Sugar-Salem Board of Trustees wants to allow students to attend in this district if the students, parents, or guardians determine this is in the student's best interest. And it is their responsibility to ensure that the district's educational program is delivered to resident students without compromise before accepting non-resident students.

Non-resident students will be permitted to enroll in Sugar-Salem schools after completing the District's yearly application and meeting all admission requirements. Furthermore, non-resident students will be accepted only if their admission would not create or enlarge an existing hardship to the district or its students and staff. The fact that a student is admitted one year does not guarantee he or she will be admitted in following years.

Parents/Guardians of non-resident enrollee applicants will be notified within sixty days of acceptance or rejection of their application. All rejected applications will be afforded reasons for denial.

Reasons for rejection of an application will not include previous academic achievement, athletic or other extra-curricular ability, disabling conditions, or proficiency in the English language.

Qualifying factors for admission of non-resident students:

The maximum number of students who may enroll in the district's facilities without causing hardship on the district, its teachers, students, and administrative staff is as follows:

Admission of non-resident students in excess of the following student/teacher ratio would work as a hardship on the district, its teachers, staff, students, and educational programs and will not be allowed.

PK	by invitation only
Kin	20:1
1 <sup>st</sup>	22:1
2 <sup>nd</sup>	24:1
3 <sup>rd</sup>	26:1
4-6	28:1
7-8	30:1
9-12	30:1

As the district IEP/Special Education program is full no students, who are on, or may be required to be on, an Individualized Education Program will be admitted.

English as a Second Language 50:1 (Includes LEP, LEP X1 and LEP X2)

Non-resident students who are presently, or have ever been, suspended or expelled in their home district may be denied attendance.

Non-resident students who have ever been suspended or expelled must describe the circumstances, dates, and duration in their application. The information will be reviewed by the superintendent, principal, and special services director (as needed) to determine whether the non-resident student will be admitted.

Students with histories of discipline infractions or a history of poor attendance may be denied attendance.

Students, or their parents, or guardians who disrupt, in any way, the educational process of the school district may be denied attendance.

Siblings, of non-resident attendees, who apply to attend in Sugar-Salem School District, will be given priority over non-resident applicants with no siblings already in the district.

Non-resident applicants will be required to adhere to all district policies.

Those who provide untruthful or inadequate information may be denied attendance immediately upon receipt of such information.



STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

Year	School District (1)	Market Value (2)	Market Value Including Urban Renewal Increment Value (3)	M & O / Budget Stabilization (4)	Supplemental M & O (5)	Emergency (6)	Tort (7)	COSA (c) Tuition (f) Judgement (i) (8)	School District Subtotal (9)	Bond (10)	Plant Facility (11)	School District Total (12)
FY 2017	322 Sugar-Salem Joint	\$266,734,153	\$266,660,128		0.001569903		0.000033322	0.000040122	0.001603125	0.002441916		0.004045041
FY 2016	322 Sugar-Salem Joint	\$257,439,953			0.001747980		0.000024083		0.001812185	0.003301741		0.005113926
FY 2015	322 Sugar-Salem Joint	\$253,126,870					0.000014910		0.000014910	0.003605888		0.003965498
FY 2014	322 Sugar-Salem Joint	\$250,601,547					0.000039098	0.000016898	0.000254316	0.003192319		0.003446635
FY 2013	322 Sugar-Salem Joint	\$248,135,781					0.000059795		0.000635725	0.003425544		0.004081289
FY 2012	322 Sugar-Salem Joint	\$245,210,594			0.000465722		0.000005655		0.000555270	0.001427345		0.001598215
FY 2011	322 Sugar-Salem Joint	\$246,311,588			0.001828954		0.000023085		0.001850039	0.001644259		0.003494298
FY 2010	322 Sugar-Salem Joint	\$247,702,903					0.000403709	0.000018385	0.000422084	0.001635023		0.002057117
FY 2009	322 Sugar-Salem Joint	\$220,378,353					0.000600000		0.000610078	0.001769684		0.002379762
FY 2008	322 Sugar-Salem Joint	\$192,335,627					0.000059998	0.000002470	0.000602468	0.002443645		0.003046113
FY 2007	322 Sugar-Salem Joint	\$169,405,649						0.000002727	0.000002727		0.001162140	0.001162140
FY 2006	322 Sugar-Salem Joint	\$174,375,356						0.000036284	0.002728948		0.001291610	0.004020556
FY 2005	322 Sugar-Salem Joint	\$163,421,853					0.000168465		0.002864434		0.001754049	0.004618543
FY 2004	322 Sugar-Salem Joint	\$153,421,853			0.002692314		0.000172180		0.002680702	0.002920064		0.00560766
FY 2003	322 Sugar-Salem Joint	\$155,061,636			0.002504520		0.000182959		0.003214305	0.003404575		0.006618880
FY 2002	322 Sugar-Salem Joint	\$144,967,233			0.003031346		0.000169688		0.002458148	0.003122705		0.005590853
FY 2001	322 Sugar-Salem Joint	\$148,316,727			0.002288460		0.000168358		0.003258990	0.003209248		0.006482338
FY 2000	322 Sugar-Salem Joint	\$141,381,578			0.003090332		0.000176826		0.003141456	0.003121445		0.006253601
FY 1999	322 Sugar-Salem Joint	\$136,117,217			0.003023166		0.000183665		0.003206831	0.003159042		0.006385673

STATE DEPARTMENT OF EDUCATION  
DECEMBER 20, 2017

Year	School District (1)	Market Value (2)	Market Value Including Urban Renewal Increment Value (3)	M & O / Budget Stabilization (4)	Supplemental M & O (5)	Emergency (6)	Total (7)	COSA (c) Tuition (i) Judgment (f) (8)	Bond (10)	Plant Facility (11)	School District Total (12)
FY 2017	215 Fremont	1,570,950,033	1,573,720,717		0.000953155		0.000013151		0.001336239	0.000096908	0.002399453
FY 2016	215 Fremont	1,561,135,989	1,563,399,203		0.000959448		0.000012237		0.001345065	0.000098446	0.002415166
FY 2015	215 Fremont	1,547,941,109	1,550,077,840		0.000967693		0.0000011365	0.000015494	0.001421242	0.00009798	0.002513774
FY 2014	215 Fremont	1,550,069,680	1,552,341,421		0.000966282		0.000027501	0.000004407	0.001419291	0.000097207	0.002514688
FY 2013	215 Fremont	1,510,397,526	1,512,728,376				0.000031435		0.001456571	0.000099744	0.001587750
FY 2012	215 Fremont	1,527,755,911	1,530,025,938				0.000030506		0.001427319	0.000099052	0.002733328
FY 2011	215 Fremont	1,507,262,835	1,509,532,955		0.001192422		0.000030834		0.001445979	0.000101146	0.002770381
FY 2010	215 Fremont	1,529,865,831					0.000030818		0.001380663	0.000097363	0.001508844
FY 2009	215 Fremont	1,445,321,863					0.000031767		0.001413786	0.000103447	0.001547000
FY 2008	215 Fremont	1,185,957,027					0.000036800	0.000002498	0.001357553	0.000123713	0.001520564
FY 2007	215 Fremont	1,003,757,605					0.000010306	0.000011169	0.001597145	0.00014806	0.001755511
FY 2006	215 Fremont	908,388,388					0.000052578		0.001708458	0.000165258	0.004814542
FY 2005	215 Fremont	882,443,753					0.000052547	0.0000873	0.001618234	0.000113322	0.005032202
FY 2004	215 Fremont	841,516,985			0.003155516		0.000055103		0.001670447	0.000118833	0.004998989
FY 2003	215 Fremont	806,612,162			0.002978095		0.000055814		0.000867827	0.001026829	0.004928565
FY 2002	215 Fremont	754,384,473			0.002842065		0.00005794		0.000994188	0.001097919	0.004992112
FY 2001	215 Fremont	754,282,347			0.002858659		0.00005626		0.001325763		0.004240682
FY 2000	215 Fremont	682,074,692			0.002935456		0.000060403		0.001026281		0.004022140
FY 1899	215 Fremont	635,618,748			0.002961483		0.00006293		0.001101289		0.004125702

# Bond/Levy Information

\$5.5 million Bond from 2012

Payment Due:	Payment Amount:	Interest Amount:	Total Due:
8/31/2017	\$1,115,000		\$1,115,000
2/15/2018		\$11,150	\$11,150
			<u>\$1,126,150</u>

**Amounts we are Levying the Taxpayers for in 2017-18 School Year:**

Tort Levy (for Liability Insurance Premiums)	
2012 Bond (see above)	\$10,000
2017 Supplemental	\$200,000
Total to Levy	<u>\$210,000</u>

**2016-17 School Year:**

Tort Levy (for Liability Insurance Premiums)	\$8,888
2012 Bond (see above)	\$700,000
2015 Supplemental Levy	\$450,000
Total we levied for	<u>\$1,158,888</u>
Market Value	\$266,734,153
Levy Rate	0.00434473

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

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**PROFESSIONAL STANDARDS COMMISSION**

**SUBJECT**

Professional Standards Commission – Annual Report

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Sections 33-1208, 33-1251, 33-1252, 33-1253, 33-1254, and 33-1258, Idaho Code

**BACKGROUND/DISCUSSION**

**Professional Standards Commission**

The 1972 state legislature established the Professional Standards Commission (PSC). This legislative action combined the Professional Practices Commission, established by the State legislature in 1969, with the Professional Standards Board, an advisory board appointed by the State Board of Education. The PSC consists of 18 constituency members appointed or reappointed for terms of three years:

- Secondary or Elementary Classroom Teacher (5)
- Exceptional Child Teacher (1)
- School Counselor (1)
- Elementary School Principal (1)
- Secondary School Principal (1)
- Special Education Director (1)
- School Superintendent (1)
- School Board Member (1)
- Public Higher Education Faculty Member (2)
- Private Higher Education Faculty Member (1)
- Public Higher Education Letters and Sciences Faculty Member (1)
- State Career & Technical Education Staff Member (1)
- State Department of Education Staff Member (1)

The PSC publishes an annual report following the conclusion of each fiscal year to advise the State Board of Education regarding the accomplishments of the commission.

**IMPACT**

This report advises the State Board of Education regarding the accomplishments of the Professional Standards Commission at the conclusion of each fiscal year.

**ATTACHMENTS**

Attachment 1 – PSC 2016-2017 Annual Report Presentation  
Attachment 2 – PSC 2016-2017 Annual Report

Page 5  
Page 13

**STAFF COMMENTS AND RECOMMENDATIONS**

The Professional Standards Commission is established through Section 33-1252, Idaho Code. The commission is made up of 18 members appointed by the State Board of Education. Membership is made up of individuals representing the teaching profession in Idaho, including a staff person from the Department of Education and the Division of Career Technical Education. No less than seven members must be certificated classroom teachers, of which at least one must be a teacher of exceptional children and one must serve in pupil personnel services. In addition to making recommendations regarding professional codes and standards of ethics to the State Board of Education, the Commission investigates complaints regarding the violation of such standards and makes recommendations to the Board in areas of educator certification and educator preparation standards.

The Professional Standards Commission report includes the number of requests that were received for Alternative Authorization for Interim Certificates as well as the number of individuals completing Board approved non-traditional preparation programs. Idaho Administrative Code includes three Alternate Routes to Certification; the Alternative Authorization – Content Specialist; Alternative Authorization – Teacher to New; and the Non-Traditional Route to Teacher Certification. Individuals on any of the Alternate Routes receive an up to three-year non-renewable interim certificate. The Alternative Authorization – Content Specialist is an expedited route to certification for individuals who are uniquely qualified in a subject area but have not taken a traditional route to teaching. Examples of these include individuals that may have industry experience in a content area like science than then choose to become a science teacher. Prior to 2016, the Alternative Authorization – Teacher to New Certificate included individuals with a teaching certificate, either Elementary or Secondary or other non-instructional certificate. In 2016 when the instructional certificates were combined this alternative route was bifurcated. The Alternative Authorization – Teacher to New is only available to individuals with an existing certificate using the route to obtain an additional certificate. An example would be an individual with a Standard Instructional Certificate using the route to earn an Administrator Certificate or vice versa. Alternative routes for certificated staff seeking additional endorsements are now found in IDAPA 08.02.02.021. Endorsements, and are titled Alternative Authorization to Endorsement. The numbers below aggregate both the Teacher to New Certificate and the Alternative Authorization to Endorsement. Due to the current reporting structure the numbers cannot be disaggregated at this time, anecdotally it has been reported that the majority of these alternative authorizations are certified instructional staff seeking additional endorsements.

There are currently two non-traditional preparation programs approved by the Board, American Board for Certification of Teacher Excellence (ABCTE) and Teach for America (TFA).

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

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**BOARD ACTION**

I move to accept the Professional Standards Commission 2016-2017 Annual Report as submitted in Attachment 2.

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

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# Professional Standards Commission

Annual Report 2016-2017

Lisa Colón Durham  
Chief Certification Officer and  
Administrator of the PSC



## PSC Overview

- ▶ The PSC consists of 18 constituency members that are nominated by respective stakeholders, appointed or reappointed by the State Board of Education for terms of three years:
  - Secondary or Elementary Classroom Teacher (5)
  - Exceptional Child Teacher (1)
  - School Counselor (1)
  - Elementary School Principal (1)
  - Secondary School Principal (1)
  - Special Education Director (1)
  - School Superintendent (1)
  - School Board Member (1)
  - Public Higher Education Faculty Member (2)
  - Private Higher Education Faculty Member (1)
  - Public Higher Education Letters and Sciences Faculty Member (1)
  - State Career & Technical Education Staff Member (1)
  - State Department of Education Staff Member (1)



## PSC Overview

- ▶ The PSC has five standing committees that have specific duties:
  - Authorizations Committee
  - Budget Committee
  - Executive Committee
  - Professional Development Committee
  - Standards Committee



## PSC Annual Report

- ▶ Alternative Authorizations
- ▶ Executive Committee
- ▶ Standards Committee



# Professional Standards Commission

» Annual Report – Alternative  
Authorizations



## PSC Alternative Authorizations

- ▶ **Emergency Provisional Certificates**
- ▶ **Authorization Types**
  - Teacher to New Certificate/Endorsement
  - Content Specialist
  - Pupil Personnel Services
  - Non-Traditional Route – ABCTE
  - Non-Traditional Route – TFA



## PSC Alternative Authorizations

- ▶ There were 19,117 total certificated educators employed statewide during the 2016-2017 school year.
- ▶ The percentage of educators working with an alternative authorization was 4.87%

Authorization Type	2014-2015 Number of Authorizations	2015-2016 Number of Authorizations	2016-2017 Number of Authorizations
Emergency Provisional Certificates	149	-	29
Teacher to New Certification/Endorsement	230	230	253
Content Specialist	56	348	403
Pupil Personnel Services	3	6	11
Non-Traditional Route - ABCTE	103	162	223
Non-Traditional Route – TFA	-	11	12
<b>TOTAL</b>	<b>541</b>	<b>757</b>	<b>931</b>

## Professional Standards Commission

» Annual Report – Executive  
Committee



## PSC Executive Committee

- ▶ During 2016-2017, the PSC received 67 written complaints of alleged educator ethical misconduct, out of which 32 cases were opened.
- ▶ There were 49 cases closed during 2016-2017.
  - 28 cases – probable cause found with disciplinary action taken
  - 21 cases - no probable cause found
  - 9 of the 49 cases were for educators employed as an administrator
- ▶ PSC staff conducted one (1) certification denial hearing and nine (9) educator ethical misconduct hearings during 2016-2017.



## PSC Executive Committee

### Summary of Closed Cases for Probable Cause Determination by Category of Ethics Violation

Category of Ethics Violation	2014-2015 Number of Cases Closed	2015-2016 Number of Cases Closed	2016-2017 Number of Cases Closed
Application Discrepancy	4	16	2
Breach of Contract	3	3	3
Felony (Other)	0	0	0
Felony (Violent)	0	0	0
Inappropriate Conduct	0	2	2
Inappropriate Conduct with Student	7	8	8
Miscellaneous	9	4	3
Misdemeanor	0	0	1
Sexual Misconduct Not with a Student	0	0	1
Sexual Misconduct with a Student	1	1	2
Substance Abuse	2	4	4
Theft-Fraud	1	1	2

## PSC Executive Committee

### Summary of Closed Cases for Probable Cause Determination by Type of Disciplinary Action

Type of Disciplinary Action	2014-2015 Number of Cases Closed	2015-2016 Number of Cases Closed	2016-2017 Number of Cases Closed
Conditioned Certificate	1	0	1
Letter of Reprimand	8	24	8
Revocation	11	5	7
Revocation (Permanent)	2	0	2
Suspension	5	8	9
Voluntary Surrender	0	2	1



## Professional Standards Commission

»» Annual Report – Standards  
Committee



## PSC Standards Committee

- ▶ Reviews 20% of the educator preparation standards and endorsement each year. The following were reviewed during 2016-2017.
  - Idaho Core Teacher Standards
  - Administrator
  - Audiology
  - Bilingual and English as a New Language
  - Career Technical Education
  - Speech-Language Pathologist
  - World Languages



## PSC Standards Committee

- ▶ Completes educator preparation program reviews. The following program reviews were completed during 2016-2017.
  - Boise State University
  - University of Idaho – Focused Visit
- ▶ Completes educator preparation new program proposal desk reviews. The following new programs for certification were reviewed and approved by the State Board of Education during 2016-2017
  - Boise State University – Health
  - Lewis-Clark State College – Communication, Psychology
  - University of Idaho – Literacy, Family and Consumer Sciences









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PROFESSIONAL STANDARDS  
COMMISSION

ANNUAL REPORT

2016-2017

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## INTRODUCTION

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The 1972 state legislature established the Professional Standards Commission (PSC). This legislative action combined the Professional Practices Commission, established by the state legislature in 1969, with the Professional Standards Board, an advisory board appointed by the State Board of Education. The Commission consists of 18 constituency members appointed or reappointed for terms of three years:

- Secondary or Elementary Classroom Teacher (5)
- Exceptional Child Teacher (1)
- School Counselor (1)
- Elementary School Principal (1)
- Secondary School Principal (1)
- Special Education Director (1)
- School Superintendent (1)
- School Board Member (1)
- Public Higher Education Faculty Member (2)
- Private Higher Education Faculty Member (1)
- Public Higher Education Letters and Sciences Faculty Member (1)
- State Career & Technical Education Staff Member (1)
- State Department of Education Staff Member (1)

For further detail regarding the establishment and membership of the Professional Standards Commission, see Idaho Code §33-1252.

### ***PSC Vision***

The PSC will continue to provide leadership for professional standards and accountability in Idaho's schools. We will handle that responsibility with respect and in a timely fashion. We will nurture positive relationships and collaborative efforts with a wide range of stakeholders. We will be a dynamic force and a powerful voice advocating on behalf of Idaho's children.

### ***PSC Mission***

The PSC makes recommendations to the State Board of Education and renders decisions that provide Idaho with competent, qualified, ethical educators dedicated to rigorous standards, pre-K-12 student achievement, and improved professional practice.

*Statutory Responsibilities of the Professional Standards Commission*

1. "The commission shall have authority to adopt recognized professional codes and standards of ethics, conduct and professional practices which shall be applicable to teachers in the public schools of the state, and submit the same to the state board of education for its consideration and approval. Upon their approval by the state board of education, the professional codes and standards shall be published by the board."

Idaho Code §33-1254

2. "The professional standards commission may conduct investigations on any signed allegation of unethical conduct of any teacher brought by:
  - a. An individual with a substantial interest in the matter, except a student in an Idaho public school; or
  - b. A local board of trustees."

Idaho Code §33-1209

3. "The commission may make recommendations to the state board of education in such areas as teacher education, teacher certification and teaching standards, and such recommendations to the state board of education or to boards of trustees of school districts as, in its judgment, will promote improvement of professional practices and competence of the teaching profession of this state, it being the intent of this act to continually improve the quality of education in the public schools of this state."

Idaho Code §33-1258

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***Professional Standards Commission Membership***

During the 2016-2017 academic year, the PSC met five times: September, November, January, March, and June. The following individuals served as members of the PSC:

<b>Name</b>	<b>Agency</b>	<b>Member Representation</b>
Clara Allred	Twin Falls	Special Education Administrator
Margaret Chipman	Weiser SD #431	School Board Member
Steve Copmann	Cassia County Joint SD #151	Secondary School Principal
Kathy Davis	St. Maries Joint SD #41	Secondary Classroom Teacher
Kristi Enger	Idaho Career & Technical Education	Career & Technical Education
Mark Gorton	Lakeland Joint SD #272	Secondary Classroom Teacher
Dr. Dana Johnson	Brigham Young University - Idaho	Private Higher Education
Pete Koehler	Idaho Department of Education	Department of Education
Marjean McConnell	Bonneville Joint SD #93	School Superintendent
Charlotte McKinney, Chair	Mountain View SD #244	Secondary Classroom Teacher
Dr. Mark Neill	Idaho State University	Public Higher Education
Dr. Taylor Raney	University of Idaho	Public Higher Education
Dr. Tony Roark	Boise State University	Public Higher Education – Letters and Sciences
Dr. Elisa Saffle	Bonneville Joint SD #93	Elementary School Principal
Donna Sulfridge, Vice Chair	Mountain Home SD #193	Elementary Classroom Teacher
Virginia Welton	Coeur d’Alene SD #271	Exceptional Child Teacher
Mike Wilkinson	Twin Falls SD #411	School Counselor
Kim Zeydel	West Ada SD #2	Secondary Classroom Teacher

Lisa Colón Durham served as administrator for the PSC from July 1, 2016, to June 30, 2017.

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## INTERNAL OPERATION OF THE COMMISSION

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The PSC has five standing committees that have specific duties. Below is a summary of the main duties for each of the standing committees.

### **1. Authorizations Committee**

- Reviews and makes recommendations to the PSC regarding:
  - Approval of alternative authorizations to teach, serve as an administrator, or provide pupil personnel services;
  - Policies and procedures for alternative authorizations;
  - The development and publishing of certification reports as needed.

### **2. Budget Committee**

- Develops a yearly budget;
- Monitors and makes recommended revisions to the annual budget.

### **3. Executive Committee**

- Reviews, maintains, and revises the Code of Ethics for Idaho Professional Educators as needed;
- Determines if there is probable cause to pursue discipline against a certificated educator for alleged unethical conduct.

### **4. Professional Development Committee**

- Develops recommendations for the professional development of certified educators in the state of Idaho.

### **5. Standards Committee**

- Develops recommendations for preservice educator standards for consideration by the State Board of Education;
- Develops and/or maintains standards and review processes for educator preparation programs including:
  - Annual review of approximately 20 percent of state educator preparation standards, certificates and endorsements;
  - Coordination of national recognition and national program accreditation (Council for the Accreditation of Educator Preparation or CAEP) along with state review to assure graduates of the program meet the state preparation standards;
- Develops and gives recommendations to the PSC for educator assessment(s) and qualifying scores;
- Develops and gives recommendations to the PSC for educator certificate and endorsement requirements for consideration by the State Board of Education.

## ALTERNATIVE AUTHORIZATIONS

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Local school districts, including charter schools or other educational agencies, may request approval of an alternative authorization for an individual to fill a certificated position when he/she does not presently hold an appropriate Idaho educator certificate/endorsement. The alternative authorization request shall be made only after a reasonable effort has been made by the district to find a competent, certificated individual to fill the position. The individual must have a plan that leads to certification in the assigned area.

For further detail regarding alternative authorizations, see [Alternative Authorizations website](#).

Authorization Type	Number of Authorizations
Emergency Provisional Certificate	29
Teacher to New Certification/Endorsement	253
Content Specialist	403
Pupil Personnel Services	11
Non-Traditional Route - ABCTE	223
Non-Traditional Route - TFA	12
<b>TOTAL</b>	<b>931</b>

There were 19,117 total certificated educators employed statewide during the 2016-2017 school year. The percentage of educators working with an alternative authorization was 4.87 percent.

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**REQUESTS FOR EMERGENCY PROVISIONAL CERTIFICATE**

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The purpose of the Emergency Provisional Certificate is to allow an Idaho school district/charter to hire a candidate for one year who does not hold a valid Idaho credential to serve in an assignment that requires certification/endorsement in an emergency situation. The district must declare an emergency and the candidate must have at least two years of college training. There were 29 Emergency Provisional Certificates with 37 total endorsements issued during the 2016-2017 school year as follows:

<b>Number Issued</b>	<b>Endorsement</b>
9	All Subjects K/8
1	American Government/Political Science 6/12
1	Basic Mathematics 6/12
1	Communication 6/12
1	Counselor K/12
1	Drama 6/12
1	Economics 6/12
1	Engineering 6/12
1	English 6/12
4	Health 6/12
3	Mathematics 6/12
1	Mathematics 6/9
1	Music 6/12
3	Physical Education 6/12
1	Physical Education K/12
1	Physical Science 6/12
1	Principles of Engineering (CTE)
1	Social Studies 6/12
2	Speech Language Pathologist
2	Technology Education 6/12



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REQUESTS FOR TEACHER TO NEW CERTIFICATION/ENDORSEMENT  
AUTHORIZATIONS

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The purpose of this authorization is to allow an Idaho school district/charter to hire a candidate who holds a valid Idaho credential to serve in an assignment for which the candidate does not hold the appropriate certificate/endorsement. The district must show that the candidate is uniquely qualified to serve in the assignment while the candidate works toward obtaining the applicable certificate/endorsement. There were 253 Teacher to New Certification authorizations with 263 total endorsements issued during the 2016-2017 school year as follows:

<b>Number Issued</b>	<b>Endorsement</b>
13	All Subjects K/8
8	American Government/Political Science 6/12
1	American Sign Language K/12
3	Art K/12
3	Basic Mathematics 6/12
5	Biological Science 6/12
2	Business Technology Education 6/12
3	Chemistry 6/12
1	Communication 6/12
5	Counselor K/12
1	Deaf/Hard of Hearing K/12
5	Director of Special Education
3	Drama 6/12
10	Early Childhood Special Education Pre-K/3
11	Earth Science 6/12
1	Earth Science 6/9
10	Economics 6/12
7	English 6/12
3	English as a New Language K/12
42	Exceptional Child Generalist K/12
2	Family and Consumer Sciences 6/12
1	Geography 6/12
2	Gifted and Talented K/12
9	Health 6/12
1	Health 6/9
3	Health K/12
4	History 6/12
1	Industrial Maintenance Mech (CTE)
1	Literacy K/12
1	Marketing Technology Education 6/12
11	Mathematics 6/12
1	Mathematics 6/9

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<b>Number Issued</b>	<b>Endorsement</b>
1	Music K/12
8	Natural Science 6/12
8	Physical Education 6/12
2	Physical Education K/12
9	Physical Science 6/12
1	Physical Science 6/9
2	Physics 6/12
20	Principal Pre-K/12
1	Professional-Technical Administrator
1	Psychology 6/12
2	School Psychologist
1	Social Studies 6/12
1	Social Worker K/12
1	Sociology/Anthropology 6/12
6	Spanish 6/12
2	Spanish K/12
1	Sports Medicine/Athletic Train (CTE)
9	Superintendent
12	Teacher Librarian K/12
1	TV Production/Broadcasting 6/12 (CTE)

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**REQUESTS FOR CONTENT SPECIALIST AUTHORIZATIONS**

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The purpose of this authorization is to allow an Idaho school district/charter to hire a candidate who does not hold a valid Idaho credential to serve in an assignment that requires certification/endorsement. The district must show that the candidate is uniquely qualified to serve in the assignment while the candidate works toward obtaining the applicable certificate/endorsement. There were 403 Content Specialist authorizations with 460 total endorsements issued during the 2016-2017 school year as follows:

<b>Number Issued</b>	<b>Endorsement</b>
1	Ag Power Machinery (CTE)
135	All Subjects K/8
2	American Government/Political Science 6/12
2	Art 6/12
4	Art K/12
1	Basic Mathematics 6/12
15	Biological Science 6/12
1	Bldg Trades Const 6/12 (CTE)
3	Business Technology Education 6/12
1	Chemistry 6/12
1	Communication 6/12
15	Counselor K/12
1	Drafting 6/12 (CTE)
2	Drama 6/12
6	Early Childhood Special Education Pre-K/3
5	Earth Science 6/12
2	Economics 6/12
32	English 6/12
2	English as a New Language K/12
96	Exceptional Child Generalist K/12
9	Family and Consumer Sciences 6/12
3	French 6/12
1	Gen Engineering 6/12 (CTE)
1	Geography 6/12
1	Geology 6/12
3	Health 6/12
11	History 6/12
1	Law Enforcement (CTE)
1	Literacy K/12
33	Mathematics 6/12
1	Music 6/12
12	Music K/12
19	Natural Science 6/12
2	Physical Education 6/12
4	Physical Education K/12

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<b>Number Issued</b>	<b>Endorsement</b>
1	Physical Science 6/12
3	Physics 6/12
10	School Psychologist
1	School Social Worker
2	Social Studies 6/12
1	Sociology 6/12
1	Sociology/Anthropology 6/12
8	Spanish 6/12
1	Spanish K/12
1	Speech Language Pathologist
1	Sports Medicine/Athl 6/12 (CTE)
1	Work-Based Learning Coordinator

**REQUESTS FOR PUPIL PERSONNEL SERVICES AUTHORIZATIONS**

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The purpose of this authorization is to allow an Idaho school district/charter to hire a candidate who does not hold a valid Idaho credential to serve in an assignment that requires the Pupil Personnel Services Certificate. The authorization allows the candidate to serve in the assignment while working toward obtaining the Pupil Personnel Services Certificate and the applicable endorsement. There were 11 Pupil Personnel Services authorizations with 11 total endorsements issued during the 2016-2017 school year as follows:

<b>Number Issued</b>	<b>Endorsement</b>
5	School Counselor K/12
6	School Social Worker K/12

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REQUESTS FOR NON-TRADITIONAL AUTHORIZATIONS (ABCTE AND TFA)

The purpose of the non-traditional programs is to provide an alternative for individuals to become certificated teachers in Idaho without following a standard teacher education program. There are two State Board-approved, non-traditional programs:

- **American Board for Certification of Teacher Excellence (ABCTE)**  
This is a computer-based route designed as an avenue to enter the teaching profession or to add additional certificates or endorsements to an already existing Idaho teaching credential. The candidate must first hold a bachelor's degree.
- **Teach For America (TFA)**  
Teach for America is a program designed to enlist college graduates with a bachelor's degree to teach in low-income communities for two years.

There were 223 Non-Traditional – ABCTE authorizations with 283 total endorsements issued during the 2016-2017 school year as follows:

Number Issued	Endorsement
145	All Subjects K/8
17	Biological Science 6/12
1	Chemistry 6/12
26	English 6/12
55	Exceptional Child Generalist K/12
7	History 6/12
1	Literacy K/12
19	Mathematics 6/12
12	Natural Science 6/12

There were 12 Non-Traditional – TFA authorizations with 16 total endorsements issued during the 2016-2017 school year as follows:

Number Issued	Endorsement
2	Basic Mathematics 6/12
2	Biological Science 6/12
3	English 6/12
3	Exceptional Child Generalist K/12
1	Health 6/12
2	Mathematics 6/12
2	Natural Science 6/12
1	Physical Science 6/12

**EXECUTIVE COMMITTEE ACTIVITIES**

Under Idaho Code §33-1208 and §33-1209, the PSC has the responsibility for suspending, revoking, issuing letters of reprimand, or placing reasonable conditions on any certificate for educator misconduct. The administrator of the PSC, in conjunction with the deputy attorney general and PSC staff, conducts a review of the written allegation using established guidelines to determine whether to open an investigation or remand the issue to the school district to resolve locally. The Executive Committee considers the allegation(s) and all additional relevant information to determine whether probable cause exists to warrant the filing of an administrative complaint. If probable cause is determined, the Executive Committee recommends disciplinary action to be taken against a certificate. Once an administrative complaint is filed, a hearing may be requested.

During 2016-2017, the PSC received 67 written complaints of alleged educator ethical misconduct, of which thirty-two (32) cases were opened. Additionally, 49 cases were closed during 2016-2017. Nine (9) of the 49 closed cases involved educators who were employed as administrators. Furthermore, PSC staff conducted one (1) certification denial hearing and nine (9) educator ethical misconduct hearings. The data below represents the cases that were closed.

***2016-2017 Closed Ethics Cases***

<b>Case Number</b>	<b>Category of Ethics Violation</b>	<b>Probable Cause Found</b>	<b>Disciplinary Action</b>
21215	Inappropriate Conduct with Student	Yes	Revocation
21227	Miscellaneous	No	
21402	Sexual Misconduct NOT with a Student	Yes	Revocation (Permanent)
21403	Miscellaneous	No	
21416	Substance Abuse	Yes	Conditioned Certificate
21431	Inappropriate Conduct with Student	Yes	Revocation
21432	Breach of Contract	Yes	Letter of Reprimand
21435	Application Discrepancy	No	
21438	Application Discrepancy	No	
21444	Application Discrepancy	No	
21447	Inappropriate Conduct with Student	Yes	Suspension
21448	Application Discrepancy	Yes	Letter of Reprimand
21449	Application Discrepancy	No	
21503	Application Discrepancy	No	
21507	Substance Abuse	Yes	Suspension
21511	Application Discrepancy	No	
21512	Misdemeanor	Yes	Revocation
21518	Substance Abuse	Yes	Suspension

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<b>Case Number</b>	<b>Category of Ethics Violation</b>	<b>Probable Cause Found</b>	<b>Disciplinary Action</b>
21535	Inappropriate Conduct with Student	Yes	Revocation
21536	Application Discrepancy	No	
21538	Application Discrepancy	Yes	Suspension
21539	Sexual Misconduct with a Student	Yes	Revocation (Permanent)
21550	Inappropriate Conduct	Yes	Suspension
21554	Application Discrepancy	No	
21557	Breach of Contract	Yes	Letter of Reprimand
21559	Sexual Misconduct with a Student	Yes	Revocation
21561	Application Discrepancy	No	
21603	Inappropriate Conduct with Student	Yes	Revocation
21604	Application Discrepancy	No	
21605	Sexual Misconduct with a Student	No	
21607	Application Discrepancy	No	
21609	Application Discrepancy	No	
21610	Application Discrepancy	No	
21611	Inappropriate Conduct with Student	Yes	Revocation
21612	Inappropriate Conduct with Student	Yes	Suspension
21615	Inappropriate Conduct with Student	No	
21616	Breach of Contract	Yes	Letter of Reprimand
21618	Theft-Fraud	Yes	Suspension
21620	Miscellaneous	No	
21621	Inappropriate Conduct	Yes	Voluntary Surrender
21622	Miscellaneous	Yes	Letter of Reprimand
21623	Substance Abuse	Yes	Suspension
21624	Miscellaneous	No	
21625	Miscellaneous	Yes	Letter of Reprimand
21626	Inappropriate Conduct with Student	Yes	Suspension
21627	Miscellaneous	Yes	Conditioned Certificate
21628	Theft-Fraud	Yes	Letter of Reprimand
21630	Miscellaneous	No	
21705	Miscellaneous	No	

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***2016-2017 Aggregate Data of Closed Ethics Cases Where Probable Cause Was Found***

During 2016-2017 the PSC closed 49 cases and finalized disciplinary action in 28 cases. The disaggregated data is shown below. The first table shows the data by the category of the ethics violation. The second table displays the data by the type of disciplinary action.

<b>Category of Ethics Violation</b>	<b>Number of Cases Closed</b>	<b>Percent of Cases Closed</b>
Application Discrepancy	2	7%
Breach of Contract	3	11%
Felony (Other)	0	0%
Felony (Violent)	0	0%
Inappropriate Conduct	2	7%
Inappropriate Conduct with Student	8	25%
Miscellaneous	3	14%
Misdemeanor	1	4%
Sexual Misconduct Not with a Student	1	4%
Sexual Misconduct with a Student	2	7%
Substance Abuse	4	14%
Theft-Fraud	2	7%

<b>Type of Disciplinary Action</b>	<b>Number of Cases Closed</b>	<b>Percent of Cases Closed</b>
Conditioned Certificate	1	4%
Letter of Reprimand	8	29%
Revocation	7	25%
Revocation (Permanent)	2	7%
Suspension	9	32%
Voluntary Surrender	1	4%



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## STANDARDS COMMITTEE ACTIVITIES

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The Standards Committee is responsible for completing educator preparation standards reviews, educator preparation program reviews, and educator preparation new program proposal reviews for recommendation to the full PSC. The PSC reviews the recommendations of the Standards Committee and makes recommendations to the State Board of Education for approval consideration.

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### EDUCATOR PREPARATION STANDARDS REVIEWS

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The purpose of educator preparation standards reviews is to define and establish rigorous and research-based standards that better align with national standards and best practices. The standards provide requirements for educator preparation programs to ensure that future educators acquire the knowledge and performance standards to best meet the needs of students.

IDAPA 08.02.02.004 directs that the PSC continuously review/revise 20 percent of the standards per year. The review process involves teams of content area experts from higher education faculty and educators in K-12 Idaho schools. The standards are then reviewed and presented to the State Board of Education for approval. Once approved, they are reviewed and approved by the legislature and become an incorporated-by-reference document in State Board rule.

The following standards were reviewed by the PSC during the 2016-2017 school year:

- Idaho Core Teacher Standards
  - Idaho Comprehensive Literacy Standards
- Administrator
  - School Principals
  - Superintendents
  - Special Education Directors
- Audiology
- Bilingual and English as a New Language
- Career Technical Education
  - Agricultural Science and Technology
  - Business Technology
  - Family and Consumer Sciences
  - Marketing Technology
  - Technology Education
- Speech Language Pathologists
- World Languages

## EDUCATOR PREPARATION PROGRAM REVIEWS

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Each educator preparation program will undergo a state program approval process that is designed to assure that graduates meet the Idaho standards for professional educators. The PSC follows the national accreditation council model by which institutions pursue continuing approval through a full program review every seven (7) years. Additionally, the PSC conducts State-Specific Requirement Reviews, not to exceed every third year following the full program review. The requirements are defined in IDAPA 08.02.02.100: Rules Governing Uniformity and the CAEP standards.

The process for teacher preparation program approval is specifically defined in the [Manual of Instruction for State Approval of Idaho Teacher Preparation Programs](#).

The standards for evaluating teacher preparation programs are found in the [Idaho Standards for Initial Certification of Professional School Personnel](#) as updated and approved by the State Board of Education. For review purposes, pertinent rubrics accompanying these standards are on file in the office of the State Department of Education, Certification and Professional Standards.

Current CAEP standards can be reviewed on the [CAEP website](#).

Current PSC materials, reports, and resources are also available on the [State Department of Education website](#).

The following educator preparation programs were reviewed by the PSC during the 2016-2017 school year:

- **Boise State University**

A state/CAEP on-site program review visit was held at Boise State University (BSU) on March 5-8, 2016. The team reports from that on-site visit were subsequently submitted to the PSC at its January 19-20, 2017, meeting. The reports were considered, and the PSC recommended that the State Board of Education accept the recommendations in those reports.

The Idaho State Board of Education, at its April 19-20, 2017, meeting, approved the Boise State University state team report resulting from the on-site visit. Conditionally approved programs are subject to a focused revisit within three years following the on-site visit to determine if specific standards are met.

Specific information regarding the Idaho State Board of Education's review of these documents can be found on the [State Board of Education's website](#).

- **University of Idaho – Focused Visit**

A state on-site Focused Visit was held at the University of Idaho on October 10-13, 2016. The team reports from that on-site visit were subsequently submitted to the PSC at its March 30-31, 2016, meeting. The reports were considered, and the PSC recommended that the State Board of Education accept the recommendations in those reports.

The Idaho State Board of Education, at its June 14-15, 2017, meeting, approved the U of I state team report resulting from the on-site visit.

Specific information regarding the Idaho State Board of Education's review of these documents can be found on the [State Board of Education's website](#).

EDUCATOR PREPARATION NEW PROGRAM PROPOSAL REVIEWS

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Each educator preparation new program proposal will undergo a desk review designed to confirm the new program meets the standards in the [Idaho Standards for Initial Certification of Professional School Personnel](#). The PSC reviews the recommendations of the Standards Committee and makes recommendations to the State Board of Education for approval consideration.

The following educator preparation new program proposals were reviewed by the PSC during the 2016-2017 school year:

- **Boise State University**
  - Health
    - PSC recommended that the State Board of Education conditionally approve the BSU Health endorsement new program proposal for certification at the September 22-23, 2016, meeting.
    - Idaho State Board of Education, at its December 14-15, 2016, meeting, conditionally approved the BSU Health endorsement program.
  - Exceptional Child Generalist
    - PSC recommended that the State Board of Education approve the BSU Exceptional Child Generalist new pathway for certification at the June 8-9, 2017, meeting.
    - Idaho State Board of Education, at its August 9-10, 2017, meeting, approved the BSU Exceptional Child Generalist new pathway for certification.
  - Early Childhood Special Education
    - PSC recommended that the State Board of Education approve the BSU Early Childhood Special Education new pathway for certification at the June 8-9, 2017, meeting.
    - Idaho State Board of Education, at its August 9-10, 2017, meeting, approved the BSU Early Childhood Special Education new pathway for certification.

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- **Lewis-Clark State College**
  - Communication
    - PSC recommended that the State Board of Education conditionally approve the LCSC Communication Arts endorsement new program proposal for certification at the March 30-31, 2017, meeting.
    - Idaho State Board of Education, at its June 14-15, 2017, meeting, conditionally approved the LCSC Communication Arts endorsement program.
  - Psychology
    - PSC recommended that the State Board of Education conditionally approve the LCSC Psychology endorsement new program proposal for certification at the March 30-31, 2017, meeting.
    - Idaho State Board of Education, at its June 14-15, 2017, meeting, conditionally approved the LCSC Psychology endorsement program.
  
- **University of Idaho**
  - Family and Consumer Sciences
    - PSC recommended that the State Board of Education conditionally approve the U of I Family and Consumer Sciences endorsement new program proposal for certification at the June 8-9, 2017, meeting.
    - Idaho State Board of Education, at its August 9-10, 2017, meeting, conditionally approved the U of I Family and Consumer Sciences endorsement program.
  - Literacy
    - PSC recommended that the State Board of Education conditionally approve the U of I Literacy endorsement new program proposal for certification at the June 8-9, 2017, meeting.
    - Idaho State Board of Education, at its August 9-10, 2017, meeting, conditionally approved the U of I Literacy endorsement program.

## **PROFESSIONAL STANDARDS COMMISSION MEETING SUMMARY**

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1. The Commission funded the participation of various Commission staff members in the National Association of State Directors of Teacher Education and Certification (NASDTEC) Professional Practices Institute (PPI); the NASDTEC Winter Symposium; the National Association for Alternative Certification (NAAC) Annual Conference; and the NASDTEC Annual Conference.
2. The Commission recommended that the Chief Certification Officer open a case against certificated individuals publicly reported to have allegedly violated principles of the Code of Ethics for Idaho Professional Educators.
3. In response to concern that the American Board for the Certification of Teacher Excellence (ABCTE) and Teach For America (TFA) are not scheduled sooner than spring of 2019 and fall of 2019, respectively, for review on the program review schedule, the Standards Committee recommended that the schedule be kept as is to maintain the current rotation schedule, to articulate how those reviews will be conducted, to address associated budgetary issues, and to allow ABCTE and TFA time to prepare.
4. The Standards Committee reviewed proposed revisions to certification and endorsements the State Board of Education Teacher Certification Work Group worked on to ensure that prior requirements remained as is; they also provided feedback on needed clarifying language.
5. The Commission funded Idaho's annual \$4,500 membership in NASDTEC.
6. The Commission paid \$5,492 for contracted ethics investigative services during the 2016-2017 academic year.
7. The Commission passed the Standards Committee's recommendation to transition those educators with a 7950 Consumer Economics endorsement to a 7228 Economics 6/12 endorsement without further action on the part of the certificated educator.
8. The Commission accepted the revisions to the Commission Procedures Manual as proposed.
9. The Commission accepted the revisions to the Commission Working Plan as proposed.
10. The Standards Committee determined that five of the six endorsements for which no preparation standards exist be added to the standards review schedule as follows: inclusion of Geology in next Science Standards review; inclusion of Psychology, Sociology, and Anthropology in next Social Studies Standards review; and inclusion of Audiology in next Speech-Language Pathology Standards review.
11. Commission members held a special telephonic meeting and moved that the Commission deny the request to reconsider the Final Order in a Commission ethics case based on the fact that it was filed in an untimely manner.

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12. The Commission passed the Standards Committee's recommendation to reject the creation of a Dance endorsement and accompanying Dance Standards.
13. The Authorizations Committee began reviewing/vetting applications from districts/charter schools for Emergency Provisional Certificates prior to submittal of the applications for State Board approval consideration.
14. The Professional Development Committee reviewed ethics courses recommended for discipline in educator ethics cases and also reviewed higher education ethics courses.
15. The Commission approved its proposed budget for FY2018.
16. The Commission passed the Standards Committee's recommendation to the State Board of Education the IDAPA rule revisions as written for the Counselor – Basic (K-12) endorsement. Revision language was submitted as two options, with Option 1 being the desired preference:
  - Option 1: As written to allow a Baccalaureate-degreed social worker to complete additional coursework in identified areas and 700 hours of supervised direct-counseling field experience.
  - Option 2: As written to allow a Baccalaureate-degreed social worker to obtain endorsement. This would further require the adjustment of the Assignment Credential Manual to reflect scope limitations.
- The Commission also passed the Standards Committee's recommendation to delegate the Professional Standards Commission administrator to work with the Office of the State Board of Education staff and craft a final recommendation for State Board consideration.
17. The Commission passed the Standard Committee's recommendation to approve the IDAPA rule revisions as written, which included:
  - MTI and ICLC Requirements
  - Reinstatement Requirements
  - Content Area Assessment
  - Occupational Therapist and Physical Therapist Endorsements
18. In a ballot election for 2017-2018 Commission officers, Charlotte McKinney was elected chair and Margaret Chipman was elected vice-chair.

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**APPENDIX - FISCAL YEAR 2017 BUDGET EXPENDITURES**

PSC Revenue/Expense details FY 2017													Index Code 2003			(Budget: Approved 6-24-2016)		
	Jul 16	Aug 16	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	Mar 17	Apr 17	May 17	June 17						
<b>Revenue (actual)</b>	<b>\$64,310</b>	<b>\$73,160</b>	<b>\$46,735</b>	<b>\$31,252</b>	<b>\$18,643</b>	<b>\$16,900</b>	<b>\$30,065</b>	<b>\$43,110</b>	<b>\$45,935</b>	<b>\$39,460</b>	<b>\$59,930</b>	<b>\$109,815</b>	<b>\$579,315</b>	<b>\$0</b>				
Cash balance 6/30/2016													<b>\$446,455</b>					
													<b>Actual FY17</b>	<b>Budget Amt</b>	<b>% Remain of budget</b>			
<b>PERSONNEL</b>																		
Salaries, benefits	\$45,808	\$32,852	\$32,805	\$31,977	\$32,016	\$45,291	\$32,390	\$32,186	\$32,362	\$34,939	\$37,942	\$54,764	\$445,332	\$425,000	-4.78%			
<b>OPERATING</b>																		
PSC Mtg Travel/meals	\$7,078	\$152	\$491	\$6,862	\$4,140	\$3,861	\$198	\$7,727	\$448	\$4,212	\$3,264	\$7,532	\$45,966	\$39,000	-17.86%			
Commission Prof Dev & Training													\$0	\$2,500	100.00%			
Governmental Overhead		\$949											\$949	\$13,000	92.70%			
<b>Committee Work</b>																		
Exec. - Printing (brochure/poster)													\$0	\$0	N/A			
Investigations/hearings/training	\$1,865	\$989	\$143	\$763	\$58	\$1,193	\$803	\$95	\$1,387	\$123	\$756	\$194	\$8,369	\$6,000	-39.48%			
Contract investigative services			\$839			\$2,216				\$1,050	\$1,388		\$5,492	\$15,000	63.39%			
NASDTEC Professional Pract.			\$2,824	\$2,226	\$562	\$302							\$5,913	\$10,000	40.87%			
NASDTEC Dues										\$4,500			\$4,500	\$4,000	-12.50%			
<b>Standards</b>																		
Standards Reviews			\$2,359	\$2,724	\$2,049	\$10,511	\$3,714	\$110	\$1,805	\$2,282	\$1,121	\$3,680	\$30,355	\$11,000	-175.95%			
Prep Program Review & Focus Visits			\$1,656	\$1,954	\$1,264	\$1,334		\$324			\$4,452	\$420	\$11,405	\$15,000	23.97%			
CAEP (NCATE) Partnership dues													\$0	\$4,000	100.00%			
<b>Communication</b>	\$404	\$1,164	\$1,543	\$1,505	\$911	\$734	\$550	\$279	\$491	\$756	\$821	\$1,017	\$10,175	\$12,000	15.21%			
Employee Development							\$130						\$130	\$1,000	87.00%			
Repairs and Maintenance Svcs. & supplies													\$0	\$1,000	100.00%			
Admin. services	\$136	\$990	\$191	\$111		\$339	\$352		\$242	\$90	\$813	\$60	\$3,324	\$2,800	-18.72%			
Computer services													\$0	\$250	100.00%			
Employee Travel Costs	\$352	\$27				\$1,628	\$3,070	\$403	\$783	\$2,129	\$214	\$1,423	\$10,029	\$12,500	19.77%			
Admin. Supplies (Office supplies)	\$1,386	\$189	\$312		\$2,045	\$1,804	\$250	\$18	\$116		\$187	\$27	\$6,333	\$7,000	9.53%			
Computer Supplies		\$75						\$224					\$298	\$250	-19.20%			
Insurance		\$483											\$483	\$800	39.59%			
Rentals & operating leases		\$4,701					\$4,772					\$75	\$9,548	\$10,000	4.52%			
Payroll/Accounting		\$1,753											\$1,753	\$2,000	12.33%			
<b>CAPITAL</b>																		
Computer equipment				\$1,134									\$1,134	\$3,000	62.20%			
Office equipment									\$302	\$639	\$330		\$1,272	\$1,000	-27.19%			
<b>TOTALS</b>	<b>\$57,028</b>	<b>\$44,324</b>	<b>\$43,163</b>	<b>\$49,256</b>	<b>\$43,046</b>	<b>\$69,212</b>	<b>\$46,229</b>	<b>\$41,365</b>	<b>\$37,937</b>	<b>\$50,719</b>	<b>\$51,289</b>	<b>\$69,193</b>	<b>\$602,759</b>	<b>\$598,100</b>				
Revenue less expenses	\$7,282	\$28,836	\$3,572	(\$18,004)	(\$24,403)	(\$52,312)	(\$16,164)	\$1,745	\$7,998	(\$11,259)	\$8,641	\$40,622	(\$23,444)					



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**PROFESSIONAL STANDARDS COMMISSION**

**SUBJECT**

Professional Standards Commission – 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)
April 2017	Board approved three (3) provisional certificates (Challis SD – 1, Preston SD – 1, Jerome SD – 1)
June 2017	Board denied one (1) provisional certificate (West Bonner County SD)
December 2017	Board approved four (4) provisional certificates (Bliss SD - 1, Buhl SD - 1, Kimberly SD – 1 and Nampa SD – 1)

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Sections 33-1201 and 33-1203, Idaho Code

**BACKGROUND/DISCUSSION**

Seventeen (17) emergency provisional applications were received by the State Department of Education from the school districts listed below. Emergency provisional applications allow a district/charter to request one-year emergency certification for a candidate who does not hold a current Idaho certificate/credential, 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.

**Alturas International Academy #495**

**Applicant Name:** Plomer, Laura

**Content & Grade Range:** World Language – Spanish 6-12

**Educational Level:** Foreign degrees (3 and 4 year degrees, pending foreign transcript evaluation)

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**Declared Emergency:** October 19, 2017, Alturas International Academy Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The position was posted March 1, 2017. The district received one application, interviewed and offered the position. She will be moving in March for her husband's work and does not want to seek certification.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Alturas International Academy's request for Laura Plomer without reservation.

**Cassia County Joint School District #151**

**Applicant Name:** Campos, Grace

**Content & Grade Range:** English as a New Language (ENL) K-12

**Educational Level:** AA, Liberal Arts 5/2014

**Declared Emergency:** August 17, 2017, Cassia County Joint School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The position was posted summer 2017. The district received six applications. Three were certificated teachers, one was hired by another district and the other two were not a good fit for the position. Ms. Campos was selected based on her 13 years of Migrant/ESL experience and knowledge of the program. She has enrolled in WGU's Bachelor of Arts teacher preparation program.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Cassia County Joint School District's request for Grace Campos without reservation.

**Cassia County Joint School District #151**

**Applicant Name:** Koepnick, Kimberly

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

**Educational Level:** AA, Liberal Arts 12/2013

**Declared Emergency:** August 17, 2017, Cassia County Joint School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The position was posted for 4 1/2 weeks. The district received five applications. Three took other offers, two interviewed, and first offer declined. Ms. Koepnick was selected based on the fact she is enrolled in GCU's teacher prep program. Her studies are in secondary education and this will not be her student teaching year of her BA program.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Cassia County Joint School District's request for Kimberly Koepnick without reservation.

**Cassia County Joint School District #151**

**Applicant Name:** Oakes, Susan

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

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**Educational Level:** 83 credits, enrolled in a teacher prep program

**Declared Emergency:** July 13, 2017, Cassia County Joint School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The position was posted during the summer. There were three applicants. One certified applicant was deemed unqualified, the other applicant accepted a position at another district. Ms. Oakes is enrolled in WGU and working towards teacher certification and will do her student teaching August 2018.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Cassia County Joint School District's request for Susan Oakes without reservation.

**Gooding School District #231**

**Applicant Name:** Stapp, Frances

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

**Educational Level:** Associate degree (88 credits)

**Declared Emergency:** August 14, 2017, Gooding School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The position was posted May 4, 2017, and was still open the week that school began. The district received multiple applications and began interviews but did not feel confident in the abilities of the candidates. Some came with poor recommendations, no certification and/or no prior experience with children. Ms. Stapp has enrolled in WGU's Bachelor of Arts teacher preparation program.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Gooding School District's request for Frances Stapp without reservation.

**Joint School District #002**

**Applicant Name:** Dorris, Kristi

**Content & Grade Range:** World Language – American Sign Language 6-12

**Educational Level:** BA, History 8/2005

**Declared Emergency:** October 10, 2017, Joint School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The position was posted June 9, 2017 and was still open the week that school began. Kristi is an adjunct professor at BSU and has agreed to assist the district for one year as they were unable to fill the vacancy with a properly endorsed teacher. The Deaf and Hard of Hearing program is a feeder program for multiple school districts and is vital to the needs of many students in multiple districts.

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**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Joint School District's request for Kristi Dorris without reservation.

**Moscow Charter School #281**

**Applicant Name:** Shinham, Eleanor

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

**Educational Level:** MA, Reading 5/1993

**Declared Emergency:** July 18, 2017, Moscow Charter School Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The position was posted April 17, 2017. The district received one applicant, Ms. Shinham, who was already an employee of the charter. They do not intend on her teaching theater next year and she does not have a plan that will lead to this endorsement.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Moscow Charter School's request for Eleanor Shinham without reservation.

**Oneida County School District #351**

**Applicant Name:** Cox, Dean

**Content & Grade Range:** World Language – Spanish 6-12

**Educational Level:** MBA, 1997 and BA, Business 1994

**Declared Emergency:** October 17, 2017, Oneida County School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The position was posted May 24, 2017. The district received one applicant (Mr. Cox). They do intend on him seeking a program during this year and applying for an Alternative Authorization - Content Specialist for 2018-19.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Oneida County School District's request for Dean Cox without reservation.

**Plummer-Worley Joint School District #044**

**Applicant Name:** Campbell, Jeremy

**Content & Grade Range:** English 6-12

**Educational Level:** MS, Ed Leadership 12/2015 and BS, Elem Ed 5/2010. Certified All Subjects K/8

**Declared Emergency:** September 11, 2017, Plummer-Worley Joint School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The position was posted June 21, 2017. The district received 13 applicants. Five had poor references or criminal history, three received other job offers and six were interviewed. Mr. Campbell does not have a plan that will lead to certification.

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**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Plummer-Worley Joint School District's request for Jeremy Campbell without reservation.

**Plummer-Worley Joint School District #044**

**Applicant Name:** Miller, Ronald

**Content & Grade Range:** Physical Education 6-12 and Health 6-12

**Educational Level:** BS, Ag Science 1986

**Declared Emergency:** September 11, 2017, Plummer-Worley Joint School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** Mr. Miller is currently close to retirement and certified in Natural Science, Math and Ag Science. The district received an unsolicited application from a candidate certified in math and science. Knowing that the district has two math/science teachers both close to retirement and the receipt of a resignation of the PE/Health teacher, they chose to move Mr. Miller to PE/Health for one year only with a solid mentor.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Plummer-Worley Joint School District's request for Ronald Miller without reservation.

**Ririe School District #252**

**Applicant Name:** Smith, Tammie

**Content & Grade Range:** All Subjects K-8, Physical Education K-12

**Educational Level:** 35 credits, enrolled in teacher prep program

**Declared Emergency:** September 14, 2017, Ririe School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The positions were posted for over three weeks just prior to school starting. There were four applicants, none of which were certified for the position. All four were enrolled in college and working toward certification. Ms. Smith is enrolled in Western Governors University teacher prep program and had worked as a ParaPro within the district.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Ririe School District's request for Tammie Smith without reservation.

**Soda Springs School District #150**

**Applicant Name:** Clegg, Greshen

**Content & Grade Range:** Family and Consumer Science 6-12

**Educational Level:** MA, Education 2016

**Declared Emergency:** July 15, 2017, Soda Springs School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The prior teacher's resignation was received in June 2017. The position was posted June 22, 2017. The district received two

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applications. Greshen had been a sub in within the district and was enrolled in ISU.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Soda Springs School District's request for Greshen Clegg without reservation.

**Soda Springs School District #150**

**Applicant Name:** Worthington, Rodney

**Content & Grade Range:** Director of Special Education

**Educational Level:** MA, Education 2016

**Declared Emergency:** July 15, 2017, Soda Springs School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The prior director's resignation was received in June 2017. The position was posted June 22, 2017. The district received only one application, Rodney Worthington. He just completed his administrator program and is currently a teacher within the district. He is considering pursuing a program for the endorsement for a future alternative authorization.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Soda Springs School District's request for Rodney Worthington without reservation.

**St. Maries Joint School District #041**

**Applicant Name:** Broyles, James

**Content & Grade Range:** World Language - Spanish 6-12, Music 6-12 and Biological Science 6-12

**Educational Level:** BS, Nursing 1969

**Declared Emergency:** October 23, 2017, St. Maries School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** The positions were posted starting in February 2017. The Music position had only one, non-viable candidate. The Spanish position had zero applicants. The Science position had zero applicants. Mr. Broyles has worked in the district previously under multiple provisional and/or alternative authorizations. He has a nursing degree with a background in Music and Science. This is a short term fix for the district and there is a letter of support from a student and the superintendent.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee spent additional time on this application due to multiple emergency provisional and alternative authorizations for this individual. During the discussion it was noted that this is a unique and special circumstance. The committee recommends, due to special circumstances, St. Maries School District's request for James Broyles without reservation.

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**Twin Falls School District #411**

**Applicant Name:** Lawson, Lary

**Content & Grade Range:** Biological Science 6-12

**Educational Level:** BA, Arts & Sciences 1969

**Declared Emergency:** October 25, 2017, Twin Falls School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** There were multiple Science positions posted in the Twin Falls School District since April 20, 2017. The district received 26 applicants, interviewed 11 and hired 7. Mr. Lawson has an expired certificate from California and is not currently interested in seeking certification in Idaho.

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Twin Falls School District's request for Lary Lawson without reservation.

**Twin Falls School District #411**

**Applicant Name:** Rodriguez, Chelcy

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

**Educational Level:** BS, Elem Ed 2008

**Declared Emergency:** October 25, 2017, Twin Falls School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** Ms. Rodriguez was on an interim certificate from 2013 to 2016. Twin Falls School District applied for an alternative authorization for 2016-17 to extend her time to pass the multiple subject Praxis. She has passed all but the social studies (5 points short) and science (6 points short). She has a study plan in place and knows this is the final year the district can extend her time. She has passed all other requirements (ICLC and MTI).

**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends Twin Falls School District's request for Chelcy Rodriguez without reservation.

**New Plymouth School District #372**

**Applicant Name:** Cable, Amber

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

**Educational Level:** 48.5 credits, no degree

**Declared Emergency:** November 2, 2017, New Plymouth School District Board of Trustees declared an emergency area of need exists for the 2017-2018 school year.

**Summary of Recruitment Efforts:** New Plymouth made a decision to terminate Adam Morgan's contract as it was beneficial for the district, students and Mr. Morgan. The district had two applicants and interviewed one. They were deemed as not a good fit. Amber has worked in the district, is knowledgeable in the content area, has fulfilled all other long-term positions within the district and has a rapport with students.

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**PSC Review:** The Professional Standards Commission Authorizations Committee met November 16, 2017. The committee recommends New Plymouth School District's request for Amber Cable without reservation.

**IMPACT**

If the emergency provisional certificate is not approved, the school district will have no certificated staff to serve in the position and funding could be impacted.

**STAFF COMMENTS AND RECOMMENDATIONS**

Pursuant to Section 33-1201, Idaho Code "every person who is employed to serve in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse or school librarian shall be required to have and to hold a certificate issued under the authority of the State Board of Education...." Section 33-1203, Idaho Code, prohibits the Board from authorizing standard certificates to individuals who have less than four (4) years of accredited college training except in occupational fields or emergency situations. When an emergency is declared, the Board is authorized to grant one-year provisional certificates based on not less than two (2) years of college training. Section 33-512, Idaho Code, defines substitute teachers as "as any individual who temporarily replaces a certificated classroom educator..." Neither Idaho Code, nor administrative rule, limits the amount of time a substitute teacher may be employed to cover a classroom. In some cases, school districts may use an individual as a long-term substitute prior to requesting provisional certification for the individual.

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

One of the applications recommended for approval has less than 48 credits of "college training." The Board defines a full-time student as a student taking 12 or more credits in a semester, in general terms this number is used for determining if an individual meets the requirement for having received two years or more of college training. Based on two semesters in an academic year, 48 semester credits would be equal to, two years of college training. Section 33-1203, Idaho Code does not; however, indicate if the two years of college training must be full time. In the case of Tammie Smith, she transferred less than 10 credits earned prior to 2011 from two separate institutions with additional credits earned during the 2016-2017 school year for a total of 35 credits. The information provided indicates she is enrolled in the Western Governors University Educator Preparation Program.



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**BOARD ACTION**

I move to approve one-year emergency provisional certificates for Laura Plomer, Grace Campos, Kimberly Koepnick, Susan Oakes, Frances Stapp, Kristi Dorris, Eleanor Shinham, Dean Cox, Jeremy Campbell, Ronald Miller, Tammie Smith, Greshen Clegg, Rodney Worthington, James Broyles, Lary Lawson, Chelcy Rodriguez and Amber Cable 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 Laura Plomer to teach World Language - Spanish grades six (6) through twelve (12) in the Alturas International Academy #495 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Grace Campos to serve as English as a New Language (ENL) grades kindergarten through twelve (12) in the Cassia County Joint School District #151 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Kimberly Koepnick to teach All Subjects grades kindergarten through eight (8) in the Cassia County Joint School District #151 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Susan Oakes to teach All Subjects grades kindergarten through eight (8) in the Cassia County Joint School District #151 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Frances Stapp to teach All Subjects grades kindergarten through twelve (12) in the Gooding Joint School District #231 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Kristi Dorris to teach World Language - American Sign Language grades six (6) through twelve (12) in the Joint School District #002 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Eleanor Shinham to teach All Subjects grades kindergarten through eight (8) in the Moscow Charter School #281 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Dean Cox to teach World Language - Spanish grades six (6) through twelve (12) in the Oneida County School District #351 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Jeremy Campbell to teach English grades six (6) through twelve (12) in the Plummer-Worley Joint School District #044 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Ronald Miller to teach Physical Education and Health grades six (6) through twelve (12) in the Plummer-Worley Joint School District #044 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Tammie Smith to teach All Subjects grades kindergarten through eight (8) and Physical

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Education and Health grades kindergarten through twelve (12) in the Ririe School District #252 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Greshen Clegg to teach Family and Consumer Science grades six (6) through twelve (12) in the Soda Springs School District #150 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Rodney Worthington to teach Director of Special Education in the Soda Springs School District #150 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for James Broyles to teach World Language - Spanish, Music and Biological Science grades six (6) through twelve (12) in the St. Maries School District #041 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Lary Lawson to teach Biological Science grades six (6) through twelve (12) in the Twin Falls School District #411 for the 2017-18 school year.

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

I move to approve a one-year emergency provisional certificate for Chelcy Rodriguez to teach All Subjects grades kindergarten through eight (8) in the Twin Falls School District #411 for the 2017-18 school year.

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

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

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I move to approve a one-year emergency provisional certificate for Amber Cable to teach All Subjects grades kindergarten through eight (8) in the New Plymouth School District #372 for the 2017-18 school year.

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