

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

TAB	DESCRIPTION	ACTION
1	PENDING RULE – DOCKET 08-0102-2101 – POSTSECONDARY CREDIT SCHOLARSHIP	Action Item
2	PENDING RULE – DOCKET 08-0110-2101 – WORK STUDY PROGRAM	Action Item
3	PENDING RULE – DOCKET 08-0000-2100 – OMNIBUS RULE – IDAPA 08	Action Item
4	PENDING RULE – DOCKET 55-0000-2100 – OMNIBUS RULE – IDAPA 55	Action Item
5	PENDING RULE – DOCKET 08-0000-2100F – OMNIBUS FEE RULE – IDAPA 08	Action Item

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

SUBJECT

Pending Rule, Docket 08-0102-2101 – Rules Governing Postsecondary Credit Scholarship Program

REFERENCE

August 2016	Board approved a temporary and proposed rule setting out the application requirements for the Postsecondary Credit Scholarship.
November 2016	Board approved pending rule, Docket 08-0102-1601.
November 2019	Board approved omnibus pending rule, Docket 08-0000-1900 reauthorizing all non-fee administrative rules in IDAPA 08.
June 2021	Board approved omnibus temporary rule, Docket 08-0000-2100 reauthorizing all non-fee administrative rules in IDAPA 08.
August 2021	Board approved proposed rule, Docket 08-0102-2101.

APPLICABLE STATUTES, RULE OR POLICY

IDAPA 08.01.02
Section 33-4605, Idaho Code
Executive Order 2020-01

BACKGROUND/DISCUSSION

The Postsecondary Credit Scholarship is a state funded scholarship available to students who earn dual credits or graduate high school with an associate's degree and have earned an industry or business provided scholarship.

Executive Order 2020-01, Zero Based Regulations, creates an ongoing review process for all existing rules as of June 30, 2020. Each rule chapter is required to be reviewed by the agency that promulgated the rule according to a schedule established by the Division of Financial Management (DFM) no later than legislative adjournment *sine die* in 2026. The agency review schedule is required to be staggered across agencies and within agencies with five or more rule chapters. Administrative rules promulgated under the Board's authority include IDAPA 08, IDAPA 55, and IDAPA 47. The Board's administrative rules review schedule may be found at [www.dfm.idaho.gov \(https://dfm.idaho.gov/about/RegulatoryDocs/ZBR%20Rule%20Review%205%20Year%20Schedule%205.20.2021.pdf\)](https://dfm.idaho.gov/about/RegulatoryDocs/ZBR%20Rule%20Review%205%20Year%20Schedule%205.20.2021.pdf). IDAPA 08.01.02 was scheduled for review during the 2021-2022 rulemaking cycle.

The Zero Based Regulations process requires review to identify and remove any unnecessary language that duplicates language or provisions in Idaho Code; remove any unnecessary language (e.g. orphaned definitions, redundant language, etc.); move any agency procedures or provisions that can be established through the agencies' policies and procedures; and to simplify and streamline the rule where possible.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

Proposed amendments remove definitions and provisions that are duplicative of provisions established in the enabling statute, Section 33-4605, Idaho Code.

IMPACT

Proposed amendments approved by the Board in the pending rule will be forwarded to the 2022 Legislature for consideration. Any pending rules not rejected by the legislature will take effect at the end of the 2022 legislative session.

ATTACHMENTS

Attachment 1 – Pending Rule, Docket Number 08-0102-2101

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules: temporary, proposed and pending. Proposed rules approved by the Board are published in the Idaho Administrative Rules Bulletin. Following publication there is a 21-day comment period. Based on comments received and Board direction, changes may be made to proposed rules prior to entering the pending stage. Pending rules are then brought back to the Board for final consideration. Once approved, pending rules are submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected, in whole or in part, by the legislature.

Formal negotiated rulemaking requires a notice of intent to promulgate rules. The notice of intent for Docket 08-0102-2101 was published in the July 7, 2021 Administrative Bulletin. The deadline published in the Notice of Intent for requesting participation in the negotiated rulemaking was July 14, 2021. Negotiated rulemaking provides the opportunity for the public to participate in the drafting of proposed rules prior to the rules coming to the Board for consideration as proposed rules. The proposed rule was published in the October 6, 2021 Administrative Rules Bulletin (pages 14 and 15) and the public comment period ended on October 27, 2021.

There were no comments received during the public comment period and no changes made during the proposed and pending rule stages.

Staff recommends approval.

BOARD ACTION

I move to approve the pending rule docket number 08-0102-2101, as submitted in Attachment 1.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

IDAPA 08 – STATE BOARD OF EDUCATION

08.01.02 – Rules Governing the Postsecondary Credit Scholarship Program

000. Legal Authority.

In accordance with Sections 33-105, 33-4601A, and 33-4605, Idaho Code the State Board of Education (Board) is authorized to promulgate rules implementing the provisions of Title 33, Chapter 46, Idaho Code. (7-1-21)T

001. Scope.

These rules constitute the requirements for the Postsecondary Credit Scholarship Program. (7-1-21)T

002. -- 009. (RESERVED)

010. Definitions.

For the purposes of this section the following definitions apply: (7-1-21)T

01. Board. Idaho State Board of Education. (7-1-21)T

02. Business Scholarship. A competitive scholarship awarded from a business entity registered with the Idaho Secretary of State or other state or federal entity that registers businesses and whose purpose is not postsecondary education nor is the entity affiliated with a postsecondary educational institution; or an association representing businesses as described herein. (7-1-21)T

03. Executive Director. Executive Director for the Idaho State Board of Education. (7-1-21)T

04. Grade Point Average (GPA). Average secondary grade earned by a student, figured by dividing the grade points earned by the number of credits attempted. (7-1-21)T

05. Industry Scholarship. A competitive scholarship in which the recipient must enter into a program of study for a specific occupational area. (7-1-21)T

011. -- 100. (RESERVED)

101. Application Process.

01. Initial Applications. ~~An eligible student must complete and submit the scholarship program application to the Board electronically on or before the date specified in the application, but not later than June 1 for guaranteed consideration of an award during the proceeding fall academic term. An applicant without electronic capabilities may submit an application on the form established by the Executive Director through the United States Postal Service. Applications received, or postmarked after March 1 of each year must be received at least 60 days prior to the start of the term for which the applicant has enrolled for consideration during the next academic term.~~ Applications must be made on a form and in the timelines set by the Executive Director. (7-1-21)T()

~~**02. Communication with State Officials.** Failure to respond within the specified time period specified will result in cancellation of the application or forfeiture of the scholarship unless extenuating circumstances are involved and approved by the Executive Director or designee.~~ (7-1-21)T()

102. -- 299. (RESERVED)

300. Scholarship Awards.

01. Selection Process. Scholarship awards will be based on the availability of scholarship program funds. In the event more eligible applications are received than funds are available, those applications received by

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

~~June 1 of each year~~ will be awarded based on their GPA ranking. ~~Applications received after June 1 of each year will only be considered after all initial applications have been processed and awardees have accepted or rejected their awards, and will be based on their GPA ranking.~~ (7-1-21)T()

~~**02. Monetary Value of the Opportunity Scholarship.** The monetary value of the award will be based on the maximum amount the applicant is eligible to receive based on the number of postsecondary credits accepted by the institution they attend and the amount of the matching scholarship for each year they are eligible. The award amount shall not be more than the matching merit based business or industry scholarship received by the applicant within the limits of the maximum eligible amount.~~ (7-1-21)T

03. Payment. Payment of scholarship award will be made in the name of the recipient and will be sent to the designated official at the eligible Idaho postsecondary educational institution in which the recipient is enrolled. The official must transmit the payment to the recipient student's account within a reasonable time following receipt of the payment. (7-1-21)T

~~**04. Duration.** Scholarships will be awarded on an annual basis and payments will correspond to academic terms, semesters, or equivalent units. In no instance will the entire amount of a scholarship be paid in advance to, or on behalf of, a scholarship recipient. The scholarship is valid for up to four (4) educational years from the date the recipient graduated from high school. Awards are contingent on annual appropriations by the legislature and continued eligibility of the student.~~ (7-1-21)T

~~**05. Eligibility.** If a student receives a scholarship payment and it is later determined that the student did not meet all of the scholarship program eligibility requirements, then the student is considered in overpayment status, and the remaining program funds must be returned to the Office of the State Board of Education.~~ (7-1-21)T

~~**301. Continuing Eligibility.**~~

~~To remain eligible for the scholarship, the recipient must comply with all of the provisions of the scholarship program and these rules, including the following requirements.~~ (7-1-21)T

~~**01. Interruption of Continuous Enrollment.** A student may request an interruption of continuous enrollment for eligible students due to military service in the United States armed forces, medical circumstances, or extenuating circumstances approved by the Executive Director. A scholarship recipient whose continuous enrollment is interrupted for more than four (4) months but less than two (2) years for any reason and who intends to re-enroll in an eligible Idaho postsecondary educational institution must file a letter of intent to withdraw no later than sixty (60) days prior to the first day of the academic term of the discontinued attendance to the Office of the State Board of Education. Failure to do so may result in forfeiture of the scholarship. In addition, the individual must file a statement with the Board declaring his intent to re-enroll as a full-time student in an academic or career technical program in an eligible Idaho postsecondary educational institution for the succeeding academic year no later than thirty (30) days prior to the first day of the academic term in which the individual intends to re-enroll and within two (2) years of the approval of the request to withdraw. Failure to do so will result in forfeiture of the scholarship unless an extension has been granted. All requests for extension must be made sixty (60) days prior to the start of the succeeding academic year. At no time may the extension extend beyond the expiration period of the scholarship. At no time may the scholarship award eligibility be extended beyond four (4) years from the date the student graduated from high school.~~ (7-1-21)T

~~**301. -- 999. (RESERVED)**~~

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

SUBJECT

Pending Rule, Docket 08-0110-2101 – Idaho College Work Study Program

REFERENCE

August 2012	Board approved a proposed rule amending the funding distribution formula for Idaho College Work Study funds.
November 2012	Board approved pending rule, Docket 08-0110-1201.
November 2019	Board approved omnibus pending rule, Docket 08-0000-1900 reauthorizing all non-fee administrative rules in IDAPA 08.
June 2021	Board approved omnibus temporary rule, Docket 08-0000-2100 reauthorizing all non-fee administrative rules in IDAPA 08.
August 2021	Board approved proposed rule, Docket 08-0110-2101.

APPLICABLE STATUTES, RULE OR POLICY

Idaho Administrative Code, IDAPA 08.01.10
Section 33-4401 through 33-4409, Idaho Code
Executive Order 2020-01

BACKGROUND/DISCUSSION

The Idaho work study program is an employment program designed to allow resident students with financial need to earn funds to assist in attending accredited institutions of higher education in Idaho or resident students with educational need to obtain work experience related to the student's course of academic study.

Executive Order 2020-01, Zero Based Regulations, creates an ongoing review process for all existing rules as of June 30, 2020. Each rule chapter is required to be reviewed by the agency that promulgated the rule according to a schedule established by the Division of Financial Management (DFM) no later than legislative adjournment *sine die* in 2026. The agency review schedule is required to be staggered across agencies and within agencies with five or more rule chapters. Administrative rules promulgated under the Board's authority include IDAPA 08, IDAPA 55, and IDAPA 47. The Board's administrative rules review schedule may be found at [www.dfm.idaho.gov \(https://dfm.idaho.gov/about/RegulatoryDocs/ZBR%20Rule%20Review%205%20Year%20Schedule%205.20.2021.pdf\)](https://dfm.idaho.gov/about/RegulatoryDocs/ZBR%20Rule%20Review%205%20Year%20Schedule%205.20.2021.pdf). IDAPA 08.01.02 was scheduled for review during the 2021-2022 rulemaking cycle.

The Zero Based Regulations process requires review to identify and remove any unnecessary language that duplicates language or provisions in Idaho Code; remove any unnecessary language (e.g. orphaned definitions, redundant language, etc.); move any agency procedures or provisions that can be established through the agencies' policies and procedures; and to simplify and streamline the rule where possible

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

Proposed amendments remove definitions and provisions that are duplicative of provisions established in the enabling statutes, Chapter 44, Title 33, Idaho Code. After a thorough review of the provisions contained in IDAPA 08.01.10, the only provisions that did not duplicate what was already established in Idaho statute and are proposed to be retained are the reporting requirement and distribution methodology of the state funds, allocation of funds, provisions for carrying over funds, and the provision allow the Board office to conduct periodic audits of the program.

IMPACT

Proposed amendments approved by the Board in the pending rule will be forwarded to the 2022 Legislature for consideration. Any pending rules not rejected by the legislature will take effect at the end of the 2022 legislative session.

ATTACHMENTS

Attachment 1 – Pending Rule, Docket Number 08-0110-2101

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules: temporary, proposed and pending. Proposed rules approved by the Board are published in the Idaho Administrative Rules Bulletin. Following publication there is a 21-day comment period. Based on comments received and Board direction, changes may be made to proposed rules prior to entering the pending stage. Pending rules are then brought back to the Board for final consideration. Once approved, pending rules are submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected, in whole or in part, by the legislature.

Formal negotiated rulemaking requires a notice of intent to promulgate rules. The notice of intent for Docket 08-0110-2101 was published in the July 7, 2021 Administrative Bulletin. The deadline published in the Notice of Intent for requesting participation in the negotiated rulemaking was July 14, 2021. Negotiated rulemaking provides the opportunity for the public to participate in the drafting of proposed rules prior to the rules coming to the Board for consideration as proposed rules. The proposed rule was published in the October 6, 2021 Administrative Rules Bulletin (pages 16 and 17) and the public comment period ended on October 27, 2021.

There were no comments received during the public comment period and no changes made during the proposed and pending rule stages.

Staff recommends approval.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

BOARD ACTION

I move to approve the pending rule docket number 08-0110-2101, as submitted in Attachment 1.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

IDAPA 08 – STATE BOARD OF EDUCATION

08.01.10 – Idaho College Work Study Program

000. Legal Authority.

The following rules are made under authority of Sections 33-105, 33-107, and 33-4402, Idaho Code, to implement the provisions of Chapter 44, Title 33, Idaho Code. (7-1-21)T

001. Scope.

This rule establishes the administrative procedures necessary to implement a student financial and educational aid program as called for by Chapter 44, Title 33, Idaho Code. (7-1-21)T

002. -- 100. (RESERVED)

~~**101. Institutional Participation.**~~

~~In order to participate in the program during a specific fiscal year, eligible institutions shall: (7-1-21)T~~

~~**01. Annual Application.** Submit to the Office of the State Board of Education an annual application on or before the November 1 preceding the beginning of the fiscal year. (7-1-21)T~~

~~**02. Enrollment Form.** Submit to the Office of the State Board of Education a properly completed and accurate Student Enrollment Form (PSR-1) for the fall semester prior to the previous fiscal year. The required PSR-1 shall be submitted each February as directed by the Office of the State Board of Education. (7-1-21)T~~

~~**03. Educational Need.** Eligible postsecondary institutions participating in the educational need, work experience portion of the work study program shall submit to the Office of the State Board of Education, on or before August 1 preceding the beginning of the academic year, requirements for determining educational need, in accordance with Section 33-4405, Idaho Code, and Section 107 of this chapter. (7-1-21)T~~

102. Allocation Of Funds.

Funds appropriated to the Office of the State Board of Education for the Idaho College Work Study Program shall be allocated to participating institutions based on enrollment data submitted by each institution on the Student Enrollment Form (PSR-1) for the fall semester prior to the previous fiscal year of participation. The allocation shall be based on the appropriation for that fiscal year multiplied by an enrollment factor. The enrollment factor shall be calculated by dividing the headcount of resident degree-seeking students at the participating institutions by the total headcount of resident degree-seeking students for all participating institutions. (7-1-21)T

103. (RESERVED)

104. Audit.

Participating institutions shall agree in advance to submit to regular, periodic audits by the legislative auditor ~~and or~~ the ~~internal~~ auditor ~~of for~~ the Office of the State Board of Education to ensure compliance with the statutes, rules, and policies governing the Idaho College Work Study Program, including provision of accurate enrollment information. (7-1-21)T()

~~**105. Distribution Of Funds.**~~

~~Funds allocated to participating institutions for a specific fiscal year by the Office of the State Board of Education shall be distributed to the institution during the fall term for the academic year. (7-1-21)T~~

106. Carryover Funds.

Participating institutions may carry over up to ten percent (10%) of the work study program funds received in one fiscal year to the next fiscal year, provided however, that any carryover funds shall be used exclusively in the work study program. Any unexpended funds in excess of the ten percent (10%) provided herein shall be returned to and redistributed by the Office of the State Board of Education. (7-1-21)T

~~107. Educational Need; Work Experience.~~

~~01. Determination of Educational Need. Requirements for determining educational need shall be formulated by each participating institution, subject to review by the State Board of Education. In reviewing such requirements, the State Board of Education will consider the following minimum guidelines: (7-1-21)T~~

~~a. The requirement that the work experience be related to the student's "field of study" shall mean the student's declared major or minor or, if a vocational student, a specific vocational program for which the student is seeking a degree, certificate, or license. "Field of study" may also include a specific course or academic or vocational project which complements the student's major, minor, or vocational program, provided the student obtains a written statement from an advisor or the professor or instructor of the specific course or project that the work experience proposed is related to, and will complement the major, minor, or vocational programs which the student is pursuing. (7-1-21)T~~

~~b. The financial resources of the student, including but not limited to individual or family income, may not be considered in determining eligibility. (7-1-21)T~~

~~c. In addition to the above, participating institutions which are controlled by sectarian organizations are subject to the following constitutional and statutory restrictions: (7-1-21)T~~

~~i. No student may participate whose course of study is sectarian in nature or who is pursuing an educational program leading to a baccalaureate or other degree in theology or divinity. (7-1-21)T~~

~~ii. Students at such participating institutions may participate only in the off-campus work experience portion of the program. (7-1-21)T~~

~~iii. Off-campus employment may not be located at, or be performed on behalf of, a church, sectarian or religious organization, religious denomination, sect, or society, whether incorporated or unincorporated. (7-1-21)T~~

~~108. 999. (RESERVED)~~

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

SUBJECT

Pending Rule, Docket 08-0000-2100

REFERENCE

May 2019	Board approved temporary and proposed rules extending all rules codified June 30, 2019.
February 2020	Board approved temporary omnibus fee rule.
August 26, 2020	Board approved proposed omnibus fee rule, Docket 08-0000-2000F.
November 2, 2020	Board approved pending omnibus fee rule.
June 2021	Board approved temporary omnibus rules, Dockets 08-0000-2100 and 55-0000-2100.
August 2021	Board approved proposed rules Dockets 08-0201-2101, 08-0202-2102, and 08-0203-2101.
October 2021	Board approved proposed rule, Docket 08-0000-2100.

BACKGROUND/DISCUSSION

Each year Idaho's administrative code is scheduled to expire on June 30th. Each year the Legislature must pass legislation to extend the codified rules until June 30th of the following year. All rules codified at the start of the 2021 Legislative session expired on June 30, 2021.

The rules the Board will be approving through Docket 08-0000-2100 include the follow IDAPA Chapters (excluding those sections of IDAPA 08 that include fees and are promulgated under Docket 08-0000-2100F):

- 08.01.02, Rules Governing the Postsecondary Credit Scholarship Program
- 08.01.10, Idaho College work Study Program
- 08.01.11, Registration of Postsecondary Education Institutions and Proprietary Schools
- 08.01.13, Rules Governing the Opportunity Scholarship Program
- 08.02.01, Rules Governing Administration
- 08.02.02, Rules Governing Uniformity
- 08.02.03, Rules Governing Thoroughness
- 08.02.04, Rules Governing Public Charter Schools
- 08.02.05, Rules Governing Pay for Success Contracting
- 08.03.01, Rules of the Public Charter School Commission
- 08.04.01, Rules of the Idaho Digital Learning Academy

The Board approved three proposed dockets at the August 2021 Board meeting amending IDAPA 08.02.01, 08.02.02. and 08.02.03. At the request of the State Administrative Rules Office, Dockets 08-0201-2101, 08-0202-2102, and 08-0203-2101 were included in the omnibus proposed rule Docket 08-0000-2100. The proposed amendments included changes brought forward based on Board discussion regarding graduation requirements, assessments and accountability, amendments

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

requested by the State Department of Education, and amendments made in compliance with the Governor's zero based regulations initiative. These three sections of IDAPA were fully negotiated and amendments include those changes where consensus was found during the negotiated rulemaking meetings held during the week of July 17th.

IMPACT

Approval of the pending omnibus rule will allow the docket to be forwarded to the 2022 Legislature for consideration.

ATTACHMENTS

Attachment 1 – Pending Rule Docket 08-0000-2100

Attachment 2 – Comments Received During 21-day Comment Period

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules: temporary, proposed and pending. Proposed rules approved by the Board are published in the Idaho Administrative Rules Bulletin. Following publication there is a 21-day comment period. Based on comments received and Board direction, changes may be made to proposed rules prior to entering the pending stage. Pending rules are then brought back to the Board for final consideration. Once approved, pending rules are submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected, in whole or in part, by the legislature.

The omnibus proposed fee rule was published in a special Administrative Rules Bulletin on October 20, 2021 (pages 646 through 750) and the public comment period ended on November 10, 2021.

Of the 11 sections included in Docket 08-0000-2100, public comments were received on IDAPA 08.02.02 and IDAPA 08.02.03. The majority of the 42 comments received are against the proposed amendments, lowering the standards for the interim pupil service certificate with a school psychologist endorsement. The specific comments received covered:

- Seven comments in favor of removing the college entrance exam from the graduation requirements;
- Five comments against removing the college entrance exam from the graduation requirements;
- Two comments in favor of leaving the high school in grade 10 and not moving it to grade 11;
- Twenty five comments against changing the interim certificate with the psychology endorsement from a master's degree to a bachelor's degree; and
- One comment requesting a stand alone computer science graduation requirement.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

Amendments to the rule between the proposed and pending changes, include technical corrections and:

- Reversion of amendments in IDAPA 08.02.02, lowering the bachelor's degree requirement for the interim certificate with the school psychologist endorsement;
- IDAPA 08.02.02, adding sentence regarding use of professional endorsement as opposed to content area endorsements;
- IDAPA 08.02.03, including a college entrance exam in grades 11 and 12; and
- IDAPA 08.02.03, changing the reference to the grade 8 "learning plan" to the "career pathways plan."

Staff recommends approval.

BOARD ACTION

I move to approve omnibus pending rule Docket 08-0000-2100 as provided in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

**08.01.11 – Registration of Postsecondary Educational Institutions
and Proprietary Schools**

000. Legal Authority.

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

001. Scope.

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

002. -- 009. (RESERVED)

010. Definitions.

01. Accredited. Means that a postsecondary educational institution has been recognized or approved as meeting the standards established by an accrediting organization recognized by the Board. ()

02. Executive Director. Defined in Section 33-102A, shall mean the Executive Officer of the Office of the State Board of Education, or his designee. ()

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

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

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

011. -- 099. (RESERVED)

100. Recognition Of Accreditation Organizations.

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

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

101. -- 200. (RESERVED)

201. The Board May Notify The Postsecondary Educational Institution Of Additional Information Required.

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

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

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

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

04. Certificate of Registration or Exemption. ()

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

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

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

05. Disapproval and Appeal. If a postsecondary educational institution's request for initial registration, or renewal of registration, is disapproved by the Board, then the institution may appeal such decision by submitting written request. The request must be in writing and made to the Board office within thirty (30) days of the date the institution is notified of the disapproval. ()

06. Withdrawal of Approval. ()

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

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

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

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

iii. Presenting to prospective or current students information about the institution which is false, ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

fraudulent, misleading, deceptive, or inaccurate in a material respect; ()

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

v. Loss of accreditation status. ()

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

202. -- 300. (RESERVED)

301. Approval Standards for Registration of Proprietary Schools.

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

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

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

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

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

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

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

f. All advertising, pamphlets, and other literature used to solicit students and all contract forms must accurately represent the purpose of the school, its courses or courses of study, anticipated job opportunities, and other relevant information to assist students in making an informed decision to enroll. Schools offering courses or courses of study which require clinical, practicum or internship components must provide students in writing information regarding the number of clinical, practicum or internship positions available and the location of said positions. The school must provide to each prospective student, newly-enrolled student, and returning student complete and clearly presented information indicating the school's current completion and job placement rate. ()

02. Standard II - Courses or Courses of Study. Instruction must be the primary focus of the school. All courses or courses of study must prepare students to enter employment upon completion of the program or prepare them for self-employment. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

a. The requirements for each course or courses of study must be defined clearly including applicable completion requirements or other requirements such as practicums and clinicals. Courses or courses of study must follow applicable trade or occupational board training curriculum standards or be designed using effective learning strategies for students, identifying and organizing all instructional materials and specialized facilities, identifying instructional assessment methods, and evaluating the effectiveness of the course offerings. Applicants must include an attestation that courses or courses of study applicable to occupations, which are otherwise regulated, licensed, or registered with another state agency or state board, meet the regulating state agency or state board standards for licensure or certification at the time of application. The office of the state board of education does not review course or program curriculum. ()

b. Written course descriptions must be developed for all courses or courses of study. Written course descriptions must be provided to instructors. Instructors are expected to follow course descriptions. A syllabus must be developed for each course and distributed to students at the beginning of the course. ()

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

d. The school must clearly state the cost of each course or courses of study and identify the payment schedule. This information, and the refund policy, must be given to students in writing. ()

03. Standard III - Student Support Services. The school must have clearly defined written policies that are readily available to students. Policies must address students rights and responsibilities, grievance procedures, and define what services are available to support students. ()

a. The admission of students must be determined through an orderly process established in a written policy using published criteria which must be uniformly applied. Admissions decisions must take into account the capacity of the student to grasp and complete the instructional training program and the ability of the school to handle the unique needs of the students it accepts. ()

b. There must be a clearly defined policy to re-evaluate students dismissed from the school and, if appropriate, to readmit them. ()

c. The school must establish and adhere to a clear and fair policy regarding due process in disciplinary matters for all students, given to each student upon enrollment in the school. The school must provide the name and contact information for the individual who is responsible for dealing with student grievances and other complaints and for handling due process procedures. ()

d. Prior to enrollment, all prospective students must receive the following information in writing: ()

i. Information describing the purpose, length, and objectives of the courses or courses of study; ()

ii. Completion requirements for the courses or courses of study; ()

iii. The schedule of tuition, fees, and all other charges and all expenses necessary for completion of the courses or courses of study; ()

iv. Cancellation and refund policies; ()

v. An explanation of satisfactory progress, including an explanation of the grading/assessment system; ()

vi. The calendar of study including registration dates, beginning and ending dates for all courses, and holidays; ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

- vii. A complete list of instructors and their qualifications; ()
- viii. A listing of available student services; and ()
- e. Accurate and secure records must be kept for all aspects of the student record including, at minimum, admissions information, and the courses each student completed. ()
- 04. Standard IV - Faculty/Instructor Qualifications and Compensation.** ()
- a. Instructor qualifications (training and experience) must be recorded and available to students. ()
- b. There must be a sufficient number of full-time instructors to maintain the continuity and stability of courses. ()
- c. The ratio of instructors to students in each course must be sufficient to assure effective instruction. ()
- d. Commissions may not be used for any portion of the faculty compensation. ()
- e. Procedures for evaluating instructors must be established. Provisions for student evaluation are recommended. ()
- 05. Standard V - Resources, Finance, Facilities, and Instructional Resources.** ()
- a. Adequate financial resources must be provided to accomplish instructional objectives and to effectively support the instructional program, including classroom and training facilities, instructional materials, supplies and equipment, instructors, staff, library, and the physical and instructional technology infrastructure. ()
- b. The school must have sufficient instructional resource materials so that, together with tuition and fees, it is able to complete its educational obligations to currently enrolled students. If the school is unable to fulfill its obligations to students, the school must make arrangements for a comparable teach-out opportunity with another proprietary school or refund one hundred (100) percent of prepaid tuition. ()
- c. School financial/business records and reports must be kept separate and distinct from those of any affiliated or sponsoring person or entity. Financial records and reports at a school shall be kept in accordance recognized financial accounting methods. ()
- d. The school must have adequate instructional resource materials available to students, either on site or through electronic means. These materials must be housed in a designated area and be available for students and instructors with sufficient regularity and at appropriate hours to support achievement of course objectives or to promote effective teaching. ()
- e. If the school relies on other schools or entities to provide library resources or instructional resources, the school must demonstrate how these arrangements effectively meet the needs of students and faculty. These arrangements must be documented through written agreements. Student and faculty use must be documented and frequently evaluated to ensure quality services are being provided. ()
- 302. The Board May Notify The Proprietary School Of Additional Information Required.**
If the Board is unable to determine the nature and activities of a school on the basis of the information provided by the school under this rule, then the Board may notify the school of additional information that it will be required to provide in connection with the application for registration. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

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

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

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

04. Certificate of Registration or Exemption. ()

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

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

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

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

06. Withdrawal of Approval. ()

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

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

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

ii. Providing false, misleading, deceptive, or incomplete information to the Board. ()

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

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

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

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

event.

()

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

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

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

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

a. The amount of the surety bond shall be not less than the total tuition and fees to be collected by the school from its students, currently engaged in instructional activities, that covers the period from the beginning through completion of the course of instruction the student has contracted and paid for. This amount shall be based upon the projected tuition and fee revenue for the coming registration year, subject to modification in the event a school experiences significant changes in tuition and fee revenue during the current year. The Executive Director shall determine the appropriate format and method by which this bond value is to be calculated and reported. ()

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

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

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

303. -- 399. (RESERVED)

400. Enforcement.

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

401. -- 499. (RESERVED)

500. Complaints.

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

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

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

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

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

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

b. If after initial review the Executive Director determines that the complaint relates to the quality of education or accreditation matters, the Executive Director may refer the matter to the accreditation organization of the institution or school at issue for review and recommendation. If a matter referred to an accreditation organization results in resolution of the complaint to the satisfaction of the complainant, then the matter shall be considered resolved and there shall be no further action on the matter. If the matter is not successfully resolved, then the Executive Director will review the recommendation of the accreditation organization and follow the procedures for investigations of complaints described in Subsection 500.03.c. of these rules. ()

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

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

501. -- 999. (Reserved)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

08.01.13 – Rules Governing the Opportunity Scholarship Program

000. Legal Authority.

In accordance with Sections 33-105, and 33-4303, Idaho Code, the State Board of Education (Board) shall promulgate rules implementing the provisions of Title 33, Chapter 56, Idaho Code. ()

001. Scope.

These rules constitute the requirements for the Opportunity Scholarship Program. ()

002. -- 009. (RESERVED)

010. Definitions.

01. Adult Learner. An individual who: ()

a. Is not currently enrolled in a postsecondary institution accredited by a body recognized by the State Board of Education; ()

b. Has not attended more than two (2) courses at a postsecondary institution at any time during the twenty-four (24) month period immediately prior to application for the Opportunity Scholarship; and ()

c. Has earned twenty-four (24) or more transferable credits from a postsecondary institution accredited by a body recognized by the State Board of Education. ()

02. Grade Point Average (GPA). The average grade earned by a student, figured by dividing the grade points earned by the number of credits attempted. ()

03. Graduation Plan. A plan developed by the postsecondary student in consultation with the postsecondary institution that identifies the certificate or degree the student is pursuing, the course and credit requirements necessary for earning the certificate or degree, the application of previously earned credits and credits granted through prior learning assessments, the estimated number of terms remaining to complete the certificate or degree and the proposed courses to be taken during each term. ()

011. -- 100. (RESERVED)

101. Eligibility.

Applicants must meet all of the eligibility requirements to be considered for the scholarship award. ()

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

02. Academic Eligibility. To be eligible for an opportunity scholarship, an applicant must meet minimum academic eligibility criteria, as follows: ()

a. A student who has not yet graduated from secondary school or its equivalent in the state of Idaho must have an un-weighted minimum cumulative grade point of average of two point seven (2.7) or better on a scale of four point zero (4.0) to be eligible to apply for an opportunity scholarship. Cumulative grade point averages of more than one (1) decimal place shall be rounded to one (1) place. Home schooled students must provide a transcript of subjects taught and grades received signed by the parent or guardian of the student; or ()

b. A student who has obtained a general equivalency diploma must have taken the ACT assessment

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

and received a minimum composite score of twenty (20) or better, or the equivalent SAT assessment and received a one thousand ten (1,010) or better, to be academically eligible to apply for an opportunity scholarship; or ()

c. A student currently enrolled in an eligible Idaho postsecondary educational institution must have a minimum cumulative grade point average of two point seven (2.7) or better on a scale of four point zero (4.0) at such institution in order to be academically eligible to apply for an opportunity scholarship. Cumulative grade point averages of more than one (1) decimal place shall be rounded to one (1) place. ()

d. An Adult Learner must have a minimum cumulative grade point average of two point five (2.5) or higher on a scale of four point zero (4.0). Cumulative grade point averages of more than one (1) decimal place shall be rounded to one (1) decimal place. ()

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

04. Additional Eligibility Requirements. ()

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

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

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

ii. The student has completed more than one hundred fifty percent (150%) of the courses and academic credit necessary to graduate in such major; or ()

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

102. -- 201. (RESERVED)

202. Application Process.

01. Initial Applications. An eligible student must complete and submit the opportunity scholarship program application to the Board electronically on or before the date specified in the application, but not later than the deadline set by the executive director each year if an Adult Learner and not later than March 1 for all other students. Adult Learner applications will be processed and awarded on a monthly basis up to the application deadline. An applicant without electronic capabilities may request a waiver of this requirement and, if granted, submit an application on the form established by the Board through the United States Postal Service that must be postmarked not later than the applicable application deadline. All applicants must complete and submit the FAFSA on or prior to the application deadline. ()

02. Announcement of Award. Announcement of the award of initial scholarships will be made no later

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

than June 1 of each year, with awards to be effective at the beginning of the first full term following July 1 of that year. Announcements must clearly state the award is part of the state's scholarship program and is funded through state appropriated funds. Additional award announcement may be made after this date based on the availability of funds and the acceptance rate of the initial awards. ()

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

203. -- 299. (RESERVED)

300. Selection Of Scholarship Recipients.

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

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

b. Notwithstanding Subsection 300.01.a. of these rules, the priority for the selection of recipients of opportunity scholarship awards shall be to scholarship recipients who received an opportunity scholarship award during the previous fiscal year, and have met all of the continuing eligibility requirements provided in these rules. ()

02. Monetary Value of the Opportunity Scholarship. ()

a. The Board will establish annually the educational costs for attending an eligible Idaho postsecondary educational institution for purposes of the opportunity scholarship program. ()

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

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

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

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

iv. The eligible maximum award amount for Adult Learners enrolled in less than twenty-four (24) credit hours or its equivalent in an academic year attending an eligible four-year postsecondary institution, or less than eighteen (18) credit hours or its equivalent in an academic year attending an eligible two-year institution, will be prorated as follows: ()

(1) Enrolled in six (6) to eight (8) credits or its equivalent per term - fifty percent (50%) of the maximum; ()

(2) Enrolled in nine (9) to eleven (11) credits or its equivalent per term - seventy-five percent (75%) of the maximum; and ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

(3) Enrolled in twelve (12) or more credits or its equivalent per term - one hundred percent (100%) of the maximum. ()

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

301. Opportunity Scholarship Award.

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

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

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

302. Continuing Eligibility.

To remain eligible for renewal of an opportunity scholarship, the recipient must comply with all of the provisions of the Opportunity Scholarship Program and these rules: ()

01. Credit Hours. To remain eligible for renewal of an opportunity scholarship, the scholarship recipient attending a four (4) year eligible postsecondary institution must have completed a minimum of twenty-four (24) credit hours or its equivalent each academic year that the student received an opportunity scholarship award. A scholarship recipient attending a two (2) year eligible postsecondary institution must have completed a minimum of eighteen (18) credit hours or its equivalent each academic year that the student received an opportunity scholarship award. Notwithstanding these provisions, a scholarship recipient who has received the Opportunity Scholarship as an Adult Learner may retain eligibility by completing twelve (12) or more credit hours or its equivalent each academic year the student received the Opportunity Scholarship award. All students may use the summer term to meet the annual credit accumulation requirements. ()

02. Satisfactory Academic Progress. To remain eligible for renewal of an opportunity scholarship, the scholarship recipient must have maintained a minimum cumulative grade point average of two point seven (2.7) on a scale of four point zero (4.0) during the time that the recipient received an opportunity scholarship award at the institutions the student attended while receiving the scholarship, and must be maintaining satisfactory academic progress, consistent within federal financial aid regulations as implemented at the eligible Idaho postsecondary educational institution at which the scholarship recipient was enrolled. Students receiving an Opportunity Scholarship award as an Adult Learner must make satisfactory progress on their graduation plan established with the eligible institution at the time of admission. ()

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

04. Eligibility Following Interruption of Continuous Enrollment. A scholarship recipient whose continuous enrollment is interrupted for more than four (4) months but less than two (2) years for any reason but who

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

intends to re-enroll in an eligible Idaho postsecondary educational institution must file a letter of intent to withdraw no later than sixty (60) days prior to the first day of the academic term of the discontinued attendance to the Office of the State Board of Education. Failure to do so may result in forfeiture of the scholarship. The Board's Executive Director or designee will review each request for interruption and notify the individual of approval or denial of the request. In addition, the individual must file a statement with the Board declaring his intent to re-enroll as a full-time undergraduate student in an academic or career technical program in an eligible Idaho postsecondary educational institution for the succeeding academic year no later than thirty (30) days prior to the first day of the academic term in which the individual intends to re-enroll within two (2) years of the approval of the request to withdraw. Failure to do so will result in forfeiture of the scholarship unless an extension has been granted. An extension of interruption of continuous enrollment period may be granted for eligible students due to military service in the United States armed forces, medical circumstances, or other circumstances approved by the executive director. All requests for extension must be made sixty (60) days prior to the start of the succeeding academic year.

()

303. -- 399. (RESERVED)

400. Responsibilities Of Eligible Idaho Postsecondary Educational Institutions.

01. Statements of Continuing Eligibility. An eligible Idaho postsecondary educational institution participating in this Opportunity Scholarship Program must submit statements of continuing student eligibility to the Board by the 30th day after the end of each academic year. Such statements must include verification that the scholarship recipient is still enrolled, attending part-time, if an Adult Learner, and full-time for all other scholarship recipients, maintaining satisfactory academic progress, and has not exceeded the award eligibility terms.

()

02. Other Requirements. An eligible Idaho postsecondary educational institution must:

()

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

()

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

()

c. Provide data on student enrollment and federal, state, and private financial aid for students to the Board, and

()

d. Agree to permit periodic Opportunity Scholarship Program audits to verify compliance with Idaho law and these rules related to the program.

()

03. Adult Learner Evaluation. Upon admission, scholarship recipients receiving an award as an Adult Learner will be administered prior learning assessments to determine eligibility for credit for prior learning, including credit for prior experiential learning. As part of this process an eligible institution will work with the student to develop a graduation plan for the program they are entering that includes estimated completion dates.

()

401. -- 500. (RESERVED)

501. Appeals.

An opportunity scholarship applicant or recipient adversely affected by a decision made under provisions of these rules may file a written appeal of the decision within thirty (30) days following notice of the decision, and the written statement must include the basis for the appeal. Decisions based on specific requirements established in Idaho Code or these rules may not be appealed. The appeal must be submitted to the executive director of the Board. The office of the board shall acknowledge receipt of the appeal within seven (7) days. The executive director of the Board may or may not agree to review the action, or may appoint a subcommittee of three (3) persons to hear the appeal, including at least one (1) financial aid administrator at an eligible postsecondary educational institution in

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

Idaho.

()

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

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

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

502. -- 999. (RESERVED)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

08.02.01 – Rules Governing Administration

000. Legal Authority.

All rules in IDAPA 08.02.01, “Rules Governing Administration,” are promulgated pursuant to the authority of the State Board of Education under Article IX, Section 2 of the Idaho Constitution and under Sections 33-101, 33-105, 33-107, 33-116, 33-117, 33-308, 33-320, 33-310B, 33-512, 33-513, 33-905, 33-1279, 33-1403, 33-1405, 33-2004 and Chapter 10, Title 33, Idaho Code. Specific statutory references for particular rules are also noted as additional authority where appropriate. ()

001. Scope.

Uniform and thorough standards and governance by the State Board of Education for the establishment and maintenance of a general, uniform and thorough system of public education. ()

002. Written Interpretations.

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

003. -- 006. (RESERVED)

007. Waivers.

The State Board of Education may grant a waiver of any rule not required by state or federal law to any school district upon written request. The Board will not grant waivers of any rule required by state or federal law. State and federal law includes case law (including consent decrees), statutes, constitutions, and federal regulations. ()

008. Definitions.

01. Course. A unit of instruction that may be determined based on the amount of instructional time or predetermined level of content and course outcomes. ()

02. Virtual Course. A course where instruction is provided in an on-line ~~or virtual~~ format and does not necessarily include face-to-face instruction. ()

009. -- 049. (RESERVED)

050. Altering School District Boundaries.

The State Board of Education sets forth the following rules to govern the application and hearing procedures for alteration of school boundaries pursuant to Section 33-308, Idaho Code. A written application from the person or persons requesting alteration of school district boundaries, including the reasons for making the request, will be submitted to the State Board Department of Education. ~~The application shall also contain that information as required by Section 33-308, Idaho Code.~~ ()

01. Written Statement of Support. A written statement supporting or opposing the proposed alteration will be prepared by each board of trustees no later than ten (10) days following its first regular meeting held following receipt of the written application prepared by the person or persons requesting the alteration. Such request and supporting materials shall be forwarded to the Superintendent of Public Instruction. ()

02. Review of Request. The Superintendent of Public Instruction shall appoint a hearing officer in accordance with State Board of Education Governing Policies and Procedures to review the proposed alteration of boundaries. ()

03. Criteria for Review of Request. The hearing officer shall review the proposed alteration of boundaries taking into account the following criteria: ()

a. Will the alteration as proposed leave a school district with a bonded debt in excess of the limit

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

proscribed by law; ()

b. Is the proposed alteration in the best interests of the children residing in the area described in the petition. In determining the best interests of the children the hearing officer shall consider all relevant factors which may include: ()

- i. The safety and distance of the children from the applicable schools; ()
- ii. The views of the interested parties as these views pertain to the interests of the children residing in the petition area; ()
- iii. The adjustment of the children to their home and neighborhood environment; and ()
- iv. The suitability of the school(s) and school district which is gaining students in terms of capacity and community support. ()

04. Market Value. The market value, for tax purposes, of the two (2) districts prior to the requested transfer and of the area proposed to be transferred will be provided. ()

05. Decision by State Board Education. The recommendation from the hearing on the matter shall be forwarded to the State Board of Education for decision in accordance with the Board's Governing Policies and Procedures. ()

06. Additional Information. The applicant may submit any additional information which is deemed to be appropriate in assisting the State Board of Education to make the decision. ()

051. -- 149. (RESERVED)

150. Deviation From Standard Employment Contract Form.

The State Superintendent of Public Instruction has approved a standard employment contract form. Any deviation from this contract form must be approved by the State Superintendent of Public Instruction and reviewed for reapproval once every three (3) years. ()

151. -- 199. (RESERVED)

200. Emergency Closure - Teacher Strike Or Withholding Of Service.

The State Board of Education does not recognize a teacher strike or the withholding of service as sufficient cause to declare an emergency closure. The primary concern of the State Board of Education is for the instructional program available to students. ()

201. -- 249. (RESERVED)

250. Pupil Accounting And Required Instructional Time.

~~**01. Required Instructional Time.** Excluding transportation to and from school, lunch periods, passing times, and recess, schools must schedule at least the following instructional times: kindergarten, four hundred fifty (450) hours per year or equivalent amount of instruction through an online, distance, or blended learning format; grades one through three (1-3), eight hundred ten (810) hours per year or equivalent amount of instruction through an online, distance, or blended learning format; grades four through eight (4-8), nine hundred (900) hours per year or equivalent amount of instruction through an online, distance, or blended learning format; and grades nine through twelve (9-12), nine hundred ninety (990) hours per year or equivalent amount of instruction through an online, distance, or blended learning format. The equivalent amount of instruction shall be based on the amount of time reported for the same course or amount of coursework delivered in an in person setting.~~ ()

~~**02. Required Attendance.** All pupils will complete four (4) years of satisfactory attendance in grades~~

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

~~nine through twelve (9-12) to graduate from an accredited high school, except those who are approved for early graduation.~~ ()

0301. Day in Session When Counting Pupils in Attendance. ()

a. A school day for grades one through twelve (1-12) may be counted as a “day in session” when the school is in session and students are under the guidance and direction of teachers in the teaching process for not less than four (4) hours or its equivalent of instruction per day. Lunch periods, breaks, passing time and recess will not be included in the four (4) hours. For kindergarten, each session will be at least two and one-half (2 1/2) hours per day. ()

b. Half-day Session. A half-day in session occurs when the students in grades one through twelve (1-12) are under the guidance and direction of teachers in the teaching process for a minimum of two and one-half (2 1/2) hours or its equivalent of instruction or the teachers are involved in staff development activities for not less than two and one-half (2 1/2) hours. Students attending less than a half-day in session may have their hours aggregated by week for reporting purposes. ()

~~c. Teacher In service Activities. For grades one through twelve (1-12), not more than twenty two (22) hours may be utilized for teacher in service activities, based on the district approved calendar. In the event a school district chooses to utilize full days instead of half days, the attendance reported for these full days will be the average of the attendance for the other days of that same week.~~ ()

0402. Day of Attendance - Kindergarten. A day of attendance for a kindergarten pupil is one in which a pupil is under the direction and guidance of a teacher while school is in session or under homebound instruction. A homebound student is one who is unable to attend school for at least ten (10) consecutive days due to illness, accident or an unusual disabling condition. Attendance will be reported in half-day increments. Particularly, enrollment figures are not to be used for the beginning nor closing weeks of school. ()

0503. Day of Attendance (ADA) - Grades One Through Twelve (1-12). A day of attendance is one in which a pupil is under the guidance and direction of a teacher or other authorized school district personnel while school is in session ~~or is a homebound student~~ and under the instruction of a teacher employed by the district in which the pupil resides ~~or employed through the Idaho digital learning academy~~, with the exception as stated in “day in session” above. ~~A homebound student is one who is unable to attend school for at least ten (10) consecutive days due to illness, accident or an unusual disabling condition.~~ Attendance will be reported in full or half-days. ()

0604. Full-Time Equivalent (FTE) Enrollment Reporting. ()

~~a. Kindergarten students enrolled in one (1) LEA for a total number of courses that equal six hundred (600) or more minutes per week shall equal zero point five (0.5) FTE. Grade one (1) through grade twelve (12) students enrolled in one (1) LEA for a total number of courses that equal one thousand two hundred (1,200) or more minutes per week shall equal one (1) FTE.~~ ()

~~b. Kindergarten students enrolled in one (1) or more LEAs for a total number of courses at all LEAs that equal less than six hundred (600) minutes per week, the FTE shall be based on the percentage of time each student's courses are of six hundred (600) minutes. Grade one (1) through grade twelve (12) students enrolled in one (1) or more LEAs for a total number of courses at all LEAs that equal less than one thousand two hundred (1,200) minutes per week, the FTE shall be based on the percentage of time each student's courses are of one thousand two hundred (1,200) minutes.~~ ()

~~c. Kindergarten students enrolled in more than one (1) LEA for a total number of courses at all LEAs that equal six hundred (600) or more minutes per week and less than or equal to seven hundred fifty (750) minutes per week the FTE shall be fractionalized based on percentage of time for which the student is enrolled. Grade one (1) through grade twelve (12) students enrolled in more than one (1) LEA for a total number of courses at all LEAs that equal one thousand two hundred (1,200) or more minutes per week and less than or equal to the respective amounts in the following subsections the FTE shall be fractionalized based on percentage of time for which the student is~~

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

enrolled: ()

i. Kindergarten: seven hundred fifty (750) minutes. ()

ii. Grade one (1) through grade three (3): one thousand three hundred fifty (1,350) minutes. ()

iii. Grade four (4) through grade eight (8): one thousand five hundred (1,500) minutes. ()

iv. Grade nine (9) through grade twelve (12): one thousand six hundred fifty (1,650) minutes. ()

d. Students enrolled in more than one (1) LEA for a total number of courses at all LEAs that equal more than the following minutes the FTE shall be based on the percentage of time for which the student is enrolled: ()

i. Grade one (1) through grade three (3): one thousand three hundred fifty (1,350) minutes. ()

ii. Grade four (4) through grade eight (8): one thousand five hundred (1,500) minutes. ()

iii. Grade nine (9) through grade twelve (12): one thousand six hundred fifty (1,650) minutes. ()

a. Full-time equivalent (FTE) enrollment will be based on the courses in which students are reported to be enrolled. To appropriately account for the differences in courses and schedules, FTE will be calculated using the minutes per week metric of the reported courses which is an indicator of the amount of content delivered in the course.

b. For each student, the minutes per week of all reported courses will be summed to provide a total course minutes per week, and this number will be used to determine the FTE enrollment of the individual student. The student will generate an FTE enrollment equal to the proportion of the total minutes per week of the reported courses for the student divided by 1200 with a maximum FTE of:

i. Kindergarten: 0.5 FTE

ii. Grades one (1) to twelve (12): 1.0 FTE

c. Students enrolled in more than one (1) LEA will have their FTE enrollment fractionalized between the LEAs in which they are enrolled by dividing the course minutes per week that the student is enrolled at each LEA by the total course minutes per week for the student reported by all LEAs.

d. Courses in LEAs with block scheduling that results in students attending courses receiving instruction for a period greater than one (1) week in order to encompass all courses the student is enrolled in for the term will use an average minutes per week over the applicable time period to determine the courses minutes per week of the course minutes per week over a two-week period as the minutes per week for the course. ()

e. Students enrolled in an alternative summer school or alternative night school program of two hundred twenty-five (225) or more hours of instruction may be counted as an additional zero point two five (0.25) FTE. Alternative summer school enrollment will be included in the October 1 reporting period. ()

f. Students enrolled in an alternative summer school or alternative night school program of less than two hundred twenty-five (225) hours FTE will be determined based on the proportional share of two hundred twenty-five (225) hours the program consists of. ()

g. Students enrolled in more than one (1) LEA in grade seven (7) through grade twelve (12) shall count enrollment at all LEAs for determining eligibility of overload courses identified in Sections 33-4601 and 33-4602, Idaho Code. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

251. DATA COLLECTION.

LEA's will report the required information for state and federal reporting and decision-making. The reporting will be done in accordance with the requirements established in Chapter 10, Title 33, Idaho Code, or as needed for state and federal purposes. Each LEA is required to verify and assure the accuracy of the data submitted on a timeframe established by the state board of education or its designee. ()

01. State Data System. In accordance with the provisions of Section 33-133, Idaho Code, the following data elements will be added to the state data system: ()

a. Grade Point Average (GPA); and ()

b. Chronic Absenteeism. ()

c. Student address.

252. DATA VALIDITY

01. Responsibility. LEA Administrators are responsible for the accuracy of the data submitted by the LEA.

a. Data must be verified and corrected within 30 business days, based on the LEA's calendar, of receiving written notification of issues in submitted data. The timeline for correcting data may be extended if LEA staff are actively working with state longitudinal data system staff to correct the issue.

b. Data reported by the LEAs used for funding purposes, including placement on the career ladder, must come through the state longitudinal data system. When discrepancies are identified, it is the responsibility of the LEA to update the submitted data prior to any adjustments being made. Funding will be withheld until such data is corrected.

253. UNIQUE EDUCATION IDENTIFIER.

01. Assignment. Each student enrolling in an Idaho public LEA or participating in a public educational program will be assigned a unique student identifier. The unique education identifier shall follow the student and will be used by each LEA in which the student is enrolled or participating. The unique student identifier will follow the student into the public postsecondary education. ()

a. LEAs must obtain unique student identifiers by providing the following information for each student: ()

i. Complete legal name, including first, middle, last, and suffix as written on a legal document such as birth certificate, passport, visa, or other such legal document. ()

ii. Date of birth. ()

iii. Gender. ()

b. LEAs may be required to provide any or all of the following additional information to help ensure unique identification such as: ()

i. Prior school attended, if known.

ii. Zip code of residence.

iii. Race and Ethnicity. ()

iv. Birth parents' first and last name. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

v. Parents' or guardians' first and last name(s). ()

vii. County of birth. ()

2513. -- 299. (RESERVED)

300. Funds Withheld - Late Submission Of Records.

All ~~professional staff~~required records ~~and noncertified employee records~~ from each ~~school district~~LEA will ~~be sent to the State Department of Education by October 15 of each year~~reported by the required deadlines. If an ~~district~~LEA is delinquent ~~with the forms in reporting and is determined to be noncompliant~~, ~~apportionment~~ payment to that ~~district~~LEA will be withheld until such time as the ~~district~~LEA has met its obligation. ()

301. -- 349. (RESERVED)

350. Early Graduation.

Any high school student who completes the number of credits and exiting standards required by both the state and the school district prior to completing eight (8) semesters of high school work may petition the local superintendent and board of trustees to graduate early. When calculating the aggregate average daily attendance for the educational support program, students graduating from high school prior to the end of the school year will have their ADA for the first semester (second trimester) counted as if they were in attendance during the second semester (third trimester) of the school year. ()

351. -- 399. (RESERVED)

400. Special Education Funding For Districts With Approved Programs.

01. Reimbursement for Exceptional Child Support Units. State reimbursement provided by exceptional child support units is based on the following formula: ()

a. Preschool students will generate funding based upon the weekly hours and minutes they are enrolled in special education. ()

b. From the fall elementary enrollment of kindergarten through grade six (K-6), subtract elementary residential facility students and multiply the result by six one-hundredths (.06). Add the elementary residential facility students to the product. ()

c. From the fall regular secondary enrollment of grades seven through twelve (7-12), subtract secondary residential facility students and multiply the result by fifty-five one-thousandths (.055). Add the secondary residential facility students to the product. ()

d. Add the juvenile detention facility students to the total. ()

e. Use the exceptional child divisor to determine the number of exceptional child units. Secondary programs with a smaller divisor may use the smaller divisor for their secondary computation. ()

f. Elementary and secondary exceptional child support units will be calculated using one hundred percent (100%) Average Daily Attendance (ADA); the ADA will be subtracted from their respective regular elementary and secondary administrative unit for computing the support unit. ()

02. Contracting for Educational and Related Services.

a. A school district which contracts for special education services with another agency may claim reimbursement up to a maximum amount of state funding, as annually determined by the State Department of Education, less the district's certified annual tuition rate. When any agency contracts for the education of exceptional

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

children, all such children will be enrolled in the district of their residence and the agency will certify to the home school district the daily record of attendance of such student. ()

b. For special education contracts between local school districts, the district receiving service will pay the district providing service the amount of the providing district's local annual tuition rate as certified under the provision of Idaho Code. The school district providing service will include students served within such contract within the total number of special education students used to calculate exceptional education support units. Charges for additional costs may be negotiated between the districts. ()

c. The State Department of Education will determine if public and private schools and facilities meet state standards for an approved special education program. Any agency aggrieved by the Department of Education's final decision may appeal that decision to the State Board of Education. ()

401. -- 449. (RESERVED)

450. Reimbursement To Districts For Substitute Teacher Costs.

The Professional Standards Commission (PSC) is authorized to reimburse the employing district for a classroom teacher member of the PSC for the costs incurred in the employment of a substitute teacher for a member while the member is engaged in PSC business. Such reimbursement may be made for each instance in which a substitute is employed as a replacement for a member beyond six (6) days during a given school year. Reimbursement may be made upon request by the employing district submitted in a manner determined by the PSC. Reimbursement will be based upon the prevailing rate for substitutes in that district. ()

451. -- 499. (RESERVED)

500. School District Building Account (Non-Lottery Money).

The board of trustees of any school district may apply to the State Board of Education to receive a payment or payments from the School District Building Account as authorized under Section 33-905(3a), Idaho Code. ()

01. Application for Payment. The application for payments from the School District Building Account will include: ()

a. A statement of need; ()

b. A statement of the condition and use of all of the district's existing facilities including the dates of construction and any significant remodeling or additions; ()

c. A history of the district's classroom student/teacher ratios, how these ratios have been affected by a lack of classroom space, and how these ratios would be improved by the project being requested. This statement should include building by building ratios as well as the overall district student/teacher ratio; ()

d. A statement of the district's existing tax levies for school plant facilities and bond interest redemption, along with how these levies relate to the district's levy capacity; ()

e. A statement of the district's market value for assessment purposes as such valuation existed on December 31 of the previous year, as well as other factors, if any, that affect the district's ability to finance school construction; ()

f. A statement of past efforts to levy for the project for which funding is being requested; ()

g. A description of any unique or special circumstances that should be considered in the evaluation of the application; ()

02. Application Deadline. The deadline for submitting applications will be January 30th of each year. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

03. Eligibility. The State Board of Education will be responsible for determining which school districts receive payments from the School District Building Account. The State Board will: ()

a. Review all applications submitted by the established deadline, taking into consideration the criteria of need, wealth, and effort established in Section 33-905, Idaho Code; ()

b. Require resubmission of an application only when there have been substantial changes in the district which could alter the status of original determination; ()

c. Determine a priority of school districts eligible to receive monies from the School District Building Account. Such priority will be based on a point system. Once established, the priority will be annually reviewed. Unless significant new information has been submitted which impacts the original determination, the priority will not be altered; ()

d. Determine a priority within forty-five (45) days of the application submission deadline; and ()

e. Award to each successful grantee twenty-five percent (25%) of the costs of the approved project. ()

04. Point System for Determining Priority. The point system for determining the priority of eligible districts is based on the following rating and weighted values: ()

a. Need: zero through ten (0-10) points, three and one half (3.5) weighted value for each point awarded; ()

b. Effort: zero through ten (0-10) points, two (2.0) weighted value for each point awarded; ()

c. Ability: zero through ten (0-10) points, two (2.0) weighted value for each point awarded; ()

d. Past efforts (levies attempted but failed): zero through ten (0-10) points, five tenths (.5) weighted value for each point awarded; ()

e. Student/teacher ratio improvement: zero through ten (0-10) points, one (1.0) weighted value for each point awarded; and ()

f. Unique/special circumstances zero through ten (0-10) points: one (1.0) weighted value for each point awarded. ()

05. Documentation of Revenue Sources. The school district will, within twelve (12) months of receipt of the approved state portion, submit documentation to the State Board of Education of the approved revenue source or sources that will be used to raise the district's portion. Failure to meet this requirement will result in return of the state grant along with any interest accrued on these monies. ()

501. -- 549. (RESERVED)

550. Out-Of-State Tuition.

01. Annual Agreement. An annual agreement for out-of-state tuition, signed by a local board of trustees and approved by the State Board of Education, may allow students who are residents of an Idaho school district that borders on an adjacent state to attend school in the adjacent state for educational services in kindergarten through grade twelve (K-12). ()

02. State Support Program Allowance. An Idaho school district will be eligible to receive from the

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

state educational support program an amount equal to the cost of the out-of-state tuition contract less the amount of local district contribution times the percentage the average daily attendance (ADA) of tuition students is to the total ADA in the school district. ()

551. -- 599. (RESERVED)

600. Reimbursement To Districts For A Feasibility Study Of High School Or School District Consolidation.

01. Application Procedure. Applications for reimbursement will be submitted to the State Superintendent of Public Instruction in narrative form with the following supporting documents: ()

- a.** A copy of the feasibility study; ()
- b.** A copy of the consolidation plan, when appropriate; ()
- c.** A summary of school board deliberations or joint sessions that were held by the participating school boards; ()
- d.** A summary of all public hearings held, if any; and ()
- e.** An itemized listing of reimbursable costs. ()

02. Reimbursable and Non-Reimbursable Costs. Allowable costs for a feasibility study may include contracts for technical services, and the costs of public hearings, telephone bills, supplies, materials, publications, and travel. The costs of the following items will not qualify for reimbursement: ()

- a.** A salary of any person regularly employed part-time or full-time by the school district; ()
- b.** Rental of district-owned facilities; ()
- c.** Costs incurred more than three (3) years prior to the application. ()

03. Maximum Reimbursement Allowed. The total costs reimbursed will not exceed ten thousand dollars (\$10,000) for each feasibility study. A school district may receive reimbursement for more than one (1) feasibility study, but the aggregate total reimbursement for all studies will not exceed ten thousand dollars (\$10,000) during any consecutive three (3) year period. ()

04. Notification of Approval. Upon verifying applicant school district's fiscal encumbrance for a feasibility study, the State Department of Education will notify the district and include the reimbursement payment in the district's apportionment payment for the year in which the expenses were incurred. ()

601. -- 649. (RESERVED)

650. General Education Development Tests/Idaho High School Equivalency Certificate.

The primary objective of the State Board of Education is to have all students complete their formal education and graduate from high school. However, students who drop out of school and believe it is in their best interest to take the (General Education Development) GED. test may do so under the following conditions and, upon successful completion of all GED requirements, may apply for an Idaho High School Equivalency Certificate (HSEC). ()

01. General Education Development Tests. General Education Development (GED) tests are given by approved testing centers for a statewide fee set by the Idaho Division of Career Technical Education. Candidates must make the minimum score for passing the GED test as established by the GED Testing service. ()

02. Age Criteria. The applicant must satisfy one (1) of the following age criteria: ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

a. The applicant must be at least eighteen (18) years of age; ()

b. The applicant may be sixteen (16) or seventeen (17) years of age and be one (1) year or more behind in credits earned, expelled, recommended by the school, pregnant, or a parent. In such cases, the applicant is eligible if the applicant's school verifies in writing that the student meets one of the above criteria and this verification is on file at the testing center prior to any testing. The school may give its verification only after the applicant and his or her parent or guardian submit in writing a request for the applicant to take the GED tests and the applicant and the applicant's parent or guardian have met with school officials to review and discuss the request. (In cases where the applicant is not living with a parent or guardian, the parent or guardian's verification is not necessary.); ()

c. The applicant may be sixteen (16) or seventeen (17) years of age and be entering college, the military, or an employment training program, enrolled in an Adult Basic Education Program, enrolled in the Job Corps, or incarcerated. In such cases, the applicant is eligible if the institution involved applies in writing for the applicant to take the GED tests and this application is on file at the testing center prior to any testing. ()

03. Proof of Identity. Test takers must present proof of identification that shows legal name, date of birth, signature, address and photograph. Valid drivers' licenses, passports, military, and other forms of government-issued identification are acceptable. Two (2) forms of identification may be provided to meet these criteria. ()

04. Idaho High School Equivalency Certificate. The State Department of Education will issue an Idaho High School Equivalency Certificate (HSEC) to eligible applicants. To be eligible to receive an HSEC, an applicant must submit the following documents to the Division of Career Technical Education: ()

a. An official report of GED test results showing successful completion of all requirements applicable to the version of the GED test taken by the applicant. Test scores are accepted as official only when reported directly by the State's approved vendor for transcripts and records management, the Transcript Service of the Defense Activity for Non-Traditional Education Support (DANTES), or, in special cases, the GED Testing Service. ()

b. Individuals who took the exam prior to January 1, 2014, must also furnish documentation that they met the American Government requirement of the State of Idaho. This requirement may be met by resident study in high school or college, correspondence study from an accredited university, DANTES, or by successfully passing the American Government test furnished by the testing center. ()

c. A completed form DD295 on all service personnel. This form is not required of veterans and non-veteran adults. ()

d. A copy of a discharge if the applicant is a veteran of military service. ()

~~e. ——— Applicants should submit their request using the form furnished by the Division of Career Technical Education, along with the ten dollar (\$10) processing fee and appropriate documentation of above requirements. After the applicant completes this form and pays the ten dollar (\$10) processing fee, the applicant will be awarded an Idaho High School Equivalency Certificate (HSEC).~~ ()

651. -- 800. (RESERVED)

801. Continuous Improvement Planning And Training.

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

01. Definitions. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

- a.** Administrator. As used in this section administrator means the superintendent of the school district or administrator of a charter school. ()
- b.** Board. Board means the Idaho State Board of Education. ()
- c.** Executive Director. Executive Director means the Executive Director of the Idaho State Board of Education. ()
- d.** Local Education Agency Board. As used in this section local education agency or LEA Board means the board of trustees of a school district or board of directors of a charter school. ()
- e.** Local Education Agency. As used in this section local education agency (LEA) means public school district or charter school. ()
- f.** Continuous Improvement Plan. As used in this section, a continuous improvement plan focuses on annual measurable outcomes and the analysis of data to assess and prioritize needs and measure outcomes. ()

02. Reimbursement Eligibility. LEA's may request reimbursement for training conducted pursuant to Section 33-320, Idaho Code. Such training must be available to local governing board members and school district and charter school administrators. To be eligible for reimbursement the training and trainer must meet the following criteria: ()

- a.** Training. The training must cover one (1) or more the follow subjects: ()
- i.** Continuous improvement planning training. Continuous improvement planning training must include, but is not limited to, training on continuous process improvement, use and analysis of data, and methods for setting measurable targets based on student outcomes; ()
- ii.** School finance; ()
- iii.** Administrator evaluations, including, but not limited to, specifics on the Idaho state evaluation requirements and framework; ()
- iv.** Ethics; or ()
- v.** Governance. ()
- b.** Documentation of Training. Training records shall be kept by the LEA showing: ()
- i.** The length of the training in hours; ()
- ii.** The subject(s) covered by the training; ()
- iii.** The participants included in the training or validation of attendance of specific participants as applicable; and ()
- iv.** The curriculum, agenda, or other documentation detailing the content of the training. ()
- c.** Training Format. A majority of the LEA board and the administrator must collaborate on the continuous improvement plan and engage students, parents, educators and the community, as applicable to the training subject and format. The training facilitator must be physically present or have the ability to interact directly with all training participants. Sufficient time must be provided during the sessions to give the participants an opportunity to discuss issues specific to the LEA. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

- d.** Trainer Qualifications. The trainer must meet the following qualifications: ()
- i. May not be a current employee of the LEA; ()
- ii. Must have two (2) years of documented training experience in the area of training being provided for the LEA; and ()
- iii. Must provide at least three (3) recommendations from individuals who participated in past training sessions conducted by the trainer. These recommendations must be included with the application to determine the trainer's qualifications. ()
- e.** Qualified Trainers. Trainer qualifications will be determined by the Office of the State Board of Education. The State Board of Education will maintain a list of qualified trainers and the subject areas in which they are qualified. ()
- i. An individual or company may submit an application for consideration to be placed on the list of qualified trainers or the LEA may submit the application on behalf of the individual or company. ()
- ii. Applications must be submitted to the Executive Director in a format established by the Executive Director. ()
- iii. Trainer qualifications must be determined prior to the LEA's request for reimbursement of training costs. ()

f. Eligible Reimbursements. Up to one thousand (1,000) dollars of travel expenses per training may be reimbursed. Refreshments are not an eligible reimbursement expense.

03. Audit. If requested, LEA's must provide training documentation or other information to verify eligibility prior to reimbursement. ()

~~**04. Annual Literacy Intervention Plan.** Annually each LEA will report on the effectiveness of the LEA's literacy intervention plan. Plans and reports are due by October 1 of each year. Plans shall include at a minimum:~~ ()

~~**a.** Projected literacy plan budget for the current school year;~~ ()

~~**b.** Metrics chosen by the LEA to determine effectiveness of the literacy plan and annual performance benchmarks; and~~ ()

~~**c.** Performance on metrics chosen to show program effectiveness for at a minimum the previous academic year.~~ ()

~~**05. College and Career Advising and Mentoring Plans.** Annually each LEA shall submit their college and career advising and mentoring plan to the State Board of Education by October 1.~~ ()

~~**a.** Plans shall include required metrics and at least one (1) or more additional metrics chosen by the LEA to determine effectiveness of the college and career advising and mentoring plan, baseline data and annual benchmarks.~~ ()

~~**b.** Performance on all effectiveness metrics shall be reported annually in the LEA's Continuous Improvement Plan annual report.~~ ()

~~**c.** At a minimum effectiveness metrics must include:~~ ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

- ~~i. Percent of learning plans reviewed annually by grade level, in grade nine (9) through grade twelve (12); ()~~
- ~~ii. Number and percent of students who go on to some form of postsecondary education one (1) and two (2) years after graduation; and ()~~
- ~~iii. Number of students graduating high school with a career technical certificate or an associate degree. ()~~

802. Literacy Growth Targets.

01. Statewide Trajectory Growth Targets. Statewide trajectory annual growth targets are based on aggregated student performance on the spring administration of the statewide reading assessments. Local growth targets are set by the LEA based on the LEA's available resources and student demographics. Statewide trajectory growth targets indicated the statewide goal for year over year increases in the percentage of students reading at grade level. ()

- a.** Year one (1) and two (2): ()
- i.** Kindergarten -- one percent (1%). ()
- ii.** Grade one (1) -- one percent (1%). ()
- iii.** Grade two (2) -- one percent (1%). ()
- iv.** Grade three (3) -- one percent (1%). ()
- b.** Year three (3), four (4), five (5), and six (6): ()
- i.** Kindergarten -- one point eight percent (1.8%). ()
- ii.** Grade one (1) -- two percent (2%). ()
- iii.** Grade two (2) -- one point six percent (1.6%). ()
- iv.** Grade three (3) -- one point two percent (1.2%). ()

02. Annual Review. The State Board of Education will review the statewide student proficiency levels and the statewide trajectory growth targets annually. ()

803. Statewide Average Class Size.

For the purpose of determining the statewide average class size used in school district staff allowance calculations, school districts shall be grouped as follows: ()

01. Group 1. Group 1 shall consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades one (1) through three (3) and twenty-three (23) for grades four (4) through six (6), and a secondary divisor of eighteen point five (18.5.) ()

02. Group 2. Group 2 will consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades one (1) through three (3) and twenty-three (23) for grades four (4) through six (6), and a secondary divisor less than eighteen point five (18.5.) ()

03. Group 3. Group 3 will consist of school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of nineteen (19) or twenty (20) for grades one (1) through six (6), and a secondary divisor of less than eighteen point five (18.5.) ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

04. Group 4. Group 4 will consist of school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of less than nineteen (19) for grades one (1) through six (6), and a secondary divisor of less than eighteen point five (18.5) ()

804. -- 999. (RESERVED)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

08.02.02 – Rules Governing Uniformity

000. Legal Authority.

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

001. Scope.

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

002. -- 003. (RESERVED)

004. Incorporation By Reference.

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

01. Idaho Standards for the Initial Certification of Professional School Personnel as approved on June 9, 2019 ~~October, 2021~~. Copies of this document can be found on the Office of the State Board of Education website at <https://boardofed.idaho.gov>. ()

02. Standards for Idaho School Buses and Operations as approved on November 15, 2017. The Standards for Idaho School Buses and Operations are available at the Idaho State Department of Education, 650 W. State St., Boise Idaho, 83702 and can also be accessed electronically at <https://boardofed.idaho.gov>. ()

03. Operating Procedures for Idaho Public Driver Education Programs as approved on June 16, 2016. The Operating Procedures for Idaho Public Driver Education Programs are available at the Idaho State Department of Education, 650 W. State St., Boise, Idaho, 83702 and can also be accessed electronically at <https://boardofed.idaho.gov>. ()

005. -- 006. (RESERVED)

007. Definitions.

01. Clinical Experience. Guided, hands-on, practical applications and demonstrations of professional knowledge of theory to practice, skills, and dispositions through collaborative and facilitated learning in field-based assignments, tasks, activities, and assessments across a variety of settings. Clinical experience includes field experience and clinical practice as defined in this section. ()

02. Clinical Practice. Student teaching or internship opportunities that provide candidates with an intensive and extensive culminating field-based set of responsibilities, assignments, tasks, activities, and assessments that demonstrate candidates’ progressive development of the professional knowledge, skills, and dispositions to be effective educators. Clinical practice includes student teaching and internship. ()

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

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

05. Field Experience. Early and ongoing practice opportunities to apply content and pedagogical knowledge in Pre-K-12 settings to progressively develop and demonstrate knowledge, skills, and dispositions. ()

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

07. Institutional Recommendation. Signed form or written verification from an accredited institution with a state board approved educator preparation program stating that an individual has completed the program, received a basic or higher rating in all components of the approved Idaho framework for teaching evaluation, has an individualized professional learning plan, has demonstrated the ability to produce measurable student achievement or student success, has the ability to create student learning objectives, and is now being recommended for state certification. Institutional recommendations must include statements of identified competency areas and grade ranges. Institutional Recommendation for administrators must additionally include a competency statement indicating proficiency in conducting accurate evaluations of instructional practice based upon the state's framework for evaluation as outlined in Section 120 of these rules. ()

08. Internship. Full-time or part-time supervised clinical practice experience in Pre-K-12 settings where candidates progressively develop and demonstrate their knowledge, skills, and dispositions. ()

09. Local Education Agency (LEA). An Idaho public school district or charter school pursuant to Section 33-5203(8), Idaho Code. ()

10. Paraprofessional. A noncertificated individual who is employed by a local education agency to support educational programming. Paraprofessionals must work under the direct supervision of a properly certificated staff member for the areas they are providing support. Paraprofessionals cannot serve as the teacher of record and may not provide direct instruction to a student unless the paraprofessional is working under the direct supervision of a teacher. ()

a. To qualify as a paraprofessional the individual must have a high school diploma or general equivalency diploma (GED) and: ()

i. Demonstrate through a state board approved academic assessment knowledge of and the ability to assist in instructing or preparing students to be instructed as applicable to the academic areas they are providing support in; or ()

ii. Have completed at least two (2) years of study at an accredited postsecondary educational institution; or ()

iii. Obtained an associate degree or higher level degree; demonstrate through a state board approved academic assessment knowledge of and the ability to assist in instructing or preparing students to be instructed as applicable to the academic areas they are providing support in. ()

b. Individuals who do not meet these requirements will be considered school or classroom aides. ()

c. Duties of a paraprofessional include, but are not limited to, one-on-one tutoring; assisting in classroom management; assisting in computer instruction; conducting parent involvement activities; providing instructional support in a library or media center; acting as a translator in instructional matters; and providing instructional support services. Non-instructional duties such as providing technical support for computers, personal care services, and clerical duties are generally performed by classroom or school aides, however, this does not preclude paraprofessionals from also assisting in these non-instructional areas. ()

11. Pedagogy. Teaching knowledge and skills. ()

12. Practicum. Full-time or part-time supervised, industry-based experience in an area of intended

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

career technical education teaching field to extend understanding of industry standards, career development opportunities, and application of technical skills. ()

13. Semester Credit Hours. Two (2) semester credit hours are equivalent to three (3) quarter credit hours.

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

14. Student Teaching. Extensive, substantive, and supervised clinical practice in Pre-K-12 schools for candidates preparing to teach. ()

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

16. Teacher of Record. The teacher who is primarily responsible for planning instruction, delivering or supervising the instruction provided to a class of students, assessing student performance, and designating final grades.

008. -- 011. (RESERVED)

012. Accredited Institution.

For purposes of educator certification, an accredited school, college, university, or other educator training institution is considered by the Idaho State Board of Education to be one that is accredited by a regional accrediting association recognized by the State Board of Education or an alternative or non-traditional model approved by the State Board of Education. ()

013. Certification Of Teachers Trained In Foreign Institutions.

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

An educator having graduated from a foreign institution educator preparation program shall be considered an out of state applicant for certification purposes and may be issued a nonrenewable, three (3) year interim certificate. The applicant must provide transcripts and/or credentials that have been translated and evaluated by an approved evaluation service.

014. Certificates Issued To Applicants From Regionally Accredited Institutions.

Idaho ~~C~~certificates may be issued to applicants completing educator preparation programs from regionally accredited institutions recognized by the state board of education meeting requirements for certification or equivalent (i.e., those based on a baccalaureate degree) in other states when they substantially meet the requirements for ~~the Idaho Certificate~~ a standard Idaho educator certificate. ()

015. Idaho Educator Credential.

All standard educator certificates are valid for five (5) years and are renewable, subject to the applicable renewal requirements set by the state board of education and any applicable conditions applied to an individual's certificate by the professional standards commission.

01. Standard Instructional Certificate. A Standard Instructional Certificate makes an individual eligible to teach all grades, subject to the grade ranges and subject areas of the valid endorsement(s) attached to the certificate. A standard instructional certificate may be issued to any person who has a baccalaureate degree or higher from an accredited college or university and who meets the following requirements: ()

a. Professional education requirements:
()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

ia. Minimum Credit Hours. Earned a minimum of twenty (20) semester credit hours, ~~or thirty (30) quarter credit hours,~~ in the philosophical, psychological, methodological foundations, instructional technology, and in the professional subject matter of education, which shall include at least three (3) semester credit hours, or four (4) quarter credit hours, in reading and its application to the content area; demonstration of competencies as specified in the Idaho comprehensive literacy plan; and ()

ib. Student Teaching. ~~The required minimum credit hours must include~~ Complete at least a minimum of ten (10) undergraduate or six (6) graduate semester credit hours, ~~or nine (9) quarter credit hours,~~ of student teaching ~~in the grade range and subject areas as applicable to the endorsement; and~~ ()

ic. Completed ~~an a state board~~ approved educator preparation program and ~~have receive~~ an institutional recommendation from ~~an accredited college or university,~~ the program specifying the grade ranges and subjects for which ~~they are~~ the applicant is eligible to receive an endorsement in; ()

ei. ~~Individuals seeking~~ To receive endorsement ~~must complete preparation in at least two (2) fields of teaching. One (1) of the teaching fields,~~ preparation must consist of completion of at least thirty (30) semester credit hours, ~~or forty five (45) quarter credit hours~~ in one (1) field of teaching and ~~a second field of teaching consisting~~ completion of at least twenty (20) semester credit hours, ~~or thirty (30) quarter credit hours~~ in a second field of teaching.

ii. To receive endorsement in (1) field of teaching, ~~P~~preparation ~~of not less than~~ must consist of completion of at least forty-five (45) semester credit hours, ~~or sixty seven (67) quarter credit hours,~~ in a single subject area ~~may be used in lieu of the two (2) teaching field requirements;~~ ()

d. ~~Proficiency in areas noted above is measured by completion of the credit hour requirements provided herein. Additionally, each candidate must meet~~ Met or exceeded ed the state qualifying score on the state board approved content area and pedagogy assessments. ()

~~**e.** The Standard Instructional Certificate is valid for five (5) years. Six (6) semester credit hours are required every five (5) years in order to renew the certificate.~~ ()

02. Standard Pupil Service Staff Certificate. Persons who serve as school counselors, school psychologists, ~~speech language pathologists,~~ school social workers, and school nurses ~~and school audiologists~~ are required to hold the Standard Pupil Service Staff Certificate, with the respective endorsement(s) for which they qualify. Persons who serve as a speech language pathologist, school audiologist, ~~an~~ occupational therapist, or physical therapist may be required, as determined by the local educational agency, to hold the Pupil Service Staff Certificate with respective endorsements for which they qualify. ()

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

i. Hold a master's degree and provide verification of completion of an approved program of graduate study in school counseling, including sixty (60) semester credits, from a college or university approved by the Idaho State Board of Education or the state educational agency of the state in which the program was completed. The program must include successful completion of seven hundred (700) clock hours of supervised field experience, seventy-five percent (75%) of which must be in a K-12 school setting. This K-12 experience must be in each of the following levels: elementary, middle/junior high, and high school. Previous school counseling experience may be considered to help offset the field experience clock hour requirement; and ()

ii. An institutional recommendation is required for a School Counselor ~~(K-12)~~ endorsement. ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

b. School Counselor – Basic ~~(K-12)~~ Endorsement. ()

i. Individuals serving as a school counselor pursuant to Section 33-1212, Idaho Code, shall be granted a ~~Pupil Service Staff Certificate with a School Counselor – Basic (K-12)~~ endorsement. The endorsement is valid for five (5) years or until such time as the holder no longer meets the eligibility requirements pursuant to Section 33-1212, Idaho Code. ~~Six (6) semester credit hours are required every five (5) years in order to renew the endorsement.~~ ()

ii. Individuals who received their endorsement pursuant to Section 33-1212, Idaho Code, prior to July 1, 2018, will be transitioned into the School Counselor – Basic ~~(K-12)~~ endorsement. Renewal date will remain the same as the initial credential. ()

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

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

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

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

iv. Earn a current and valid National Certification for School Psychologists (NCSP) issued by the National Association of School Psychologists (NASP). ()

d. Interim Endorsement Certificate – School Psychologist Endorsement. This endorsement certificate will be ~~granted for~~ issued to those who do not meet the educational requirements but hold a master's baccalaureate degree or higher in school psychology and are pursuing an educational specialist degree working toward a standard pupil service staff certificate with school psychologist endorsement. This ~~non-renewable endorsement certificate~~ will be issued for three (3) years while the applicant is meeting the educational requirements or obtaining the applicable experience leading to certification. ()

e. School Nurse Endorsement. ~~This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement may be accomplished through completion of either requirements in Subsections 015.02.e.i. or 015.02.e.ii.~~ To be eligible for a school nurse endorsement, a candidate must complete one (1) of the following options: ()

i. ~~The candidate must p~~ ossess a valid professional nursing (RN) license issued by the Idaho State Board of Nursing, and a baccalaureate degree in nursing, education, or a health-related field from an accredited institution. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

ii. ~~The candidate must possess~~ Possess a valid professional nursing (RN) license issued by the Idaho State Board of Nursing; have two (2) years of full-time (or part-time equivalent) school nursing, community health nursing, or any other area of pediatric, adolescent, or family nursing experience; ~~and have completed six (6) semester credit hours from a university or college in any of the following areas:~~ ()

~~(1) Health program management.~~ ()

~~(2) Nursing leadership.~~ ()

~~(3) Pediatric nursing or child development.~~ ()

~~(4) Population of community health.~~ ()

~~(5) Health care policy, ethics, or cultural competency.~~ ()

~~(6) Research and/or statistics.~~ ()

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

g. Speech-Language Pathologist Endorsement. ~~This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. The initial~~ To be eligible for a speech-language pathologist endorsement, a candidate must possess a master's degree from an accredited college or university in a speech/language pathology program approved by the State Board of Education; ~~and who receive an institutional recommendation from an accredited college or university. The renewal credit requirement may be waived if the applicant holds a current and valid Certificate of Clinical Competence in Speech-Language Pathology offered through the American Speech-Language-Hearing Association and/or a current and valid speech-language pathologist license issued by the appropriate Idaho state licensing board.~~ (7-1-21) T

h. Interim ~~Endorsement Certificate~~ - Speech-Language Pathologist ~~Endorsement~~. This ~~endorsement certificate~~ will be ~~granted for~~ issued to those who do not meet the educational requirements but hold a baccalaureate degree in speech-language pathology and are pursuing a master's degree. This ~~endorsement certificate~~ will be issued for three (3) years while the applicant is meeting the educational requirements, ~~and is not renewable. If the educational requirements cannot be met within the three (3)-year timeframe of the certificate, the employing LEA may request one (1)-time renewal of this interim certificate for the applicant if the applicant holds a valid occupational license or is supervised by a speech-language pathologist with a standard pupil service certificate.~~ (7-1-21) T

i. Audiology Endorsement. ~~This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. The initial endorsement will be issued to candidates who~~ To be eligible for an audiology endorsement, a candidate must possess a master's degree from an accredited college or university in an audiology program approved by the State Board of Education; ~~and who receive an institutional recommendation from an accredited college or university. The renewal credit requirement may be waived if the applicant holds a current and valid Certificate of Clinical Competence in Audiology offered through the American Speech-Language-Hearing Association and/or a current and valid audiologist license issued by the appropriate Idaho state licensing board.~~ (7-1-21) T

j. School Social Worker Endorsement. ~~This endorsement is valid for five (5) years. Six (6) credit hours are required every five (5) years in order to renew the endorsement. Initial~~ To be eligible for a school social worker endorsement shall be accomplished by meeting, a candidate must meet the following requirements:

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

i. A master's degree in social work (MSW) from a postsecondary institution accredited by an organization recognized by the State Board of Education. The program must be currently approved by the state educational agency of the state in which the program was completed; and ()

ii. An institutional recommendation from an Idaho State Board of Education-approved program; and ()

iii. The successful completion of a school social work practicum in a preschool through grade twelve 12 (Pre-K-12) setting. Post-LMSW extensive experience working with children and families may be substituted for the completion of a school social work practicum in a Pre-K-12 setting; and ()

iv. A current and valid social work license pursuant to chapter 32, title 54, Idaho Code, and the rules of the State Board of Social Work Examiners. ()

k. Occupational Therapist Endorsement. ~~A To be eligible for an occupational therapist endorsement, a candidate with must have~~ a current and valid ~~O~~occupational ~~T~~therapy license issued by the Occupational Therapy Licensure Board of Idaho ~~will be granted an Occupational Therapist endorsement~~. The ~~Pupil Service Staff Certificate with an Occupational Therapist endorsement is valid for five (5) years. Six (6) semester credit hours are required every five (5) years in order to renew the endorsement~~. ~~C~~candidate must maintain current and valid ~~O~~occupational ~~T~~therapy ~~L~~icensure for the endorsement to remain valid. ()

l. Physical Therapist Endorsement. ~~A to be eligible for a physical therapist endorsement a~~ candidate ~~with must have~~ a current and valid ~~P~~physical ~~T~~therapy license issued by the Idaho Physical Therapy Licensure Board ~~will be granted a Physical Therapist endorsement~~. The ~~Pupil Service Staff Certificate with a Physical Therapist endorsement is valid for five (5) years. Six (6) semester credit hours are required every five (5) years in order to renew the endorsement~~. ~~C~~candidate must maintain current and valid ~~P~~physical ~~T~~therapy ~~L~~icensure for the endorsement to remain valid. ()

03. Standard Administrator Certificate. ~~Every p~~Persons who serves as superintendent, director of special education, secondary school principal, or principal of an elementary school with eight (8) or more teachers (including the principal), or ~~is are~~ assigned to conduct the summative evaluation of certified staff ~~is are~~ required to hold an Administrator Certificate. The certificate may be endorsed for service as school principal, superintendent, or director of special education. Assistant superintendents are required to hold the Superintendent endorsement. Assistant principals or vice-principals are required to hold the School Principal endorsement. Directors of special education are required to hold the Director of Special Education endorsement. Possession of an Administrator Certificate does not entitle the holder to serve as a teacher at a grade level for which the educator is not qualified or certificated. ~~All administrator certificates require candidates to meet the Idaho Standards for School Principals. The Administrator Certificate is valid for five (5) years. Six (6) semester credit hours are required every five (5) years in order to renew the certificate.~~ ()

a. School Principal Endorsement. To be eligible for ~~an Administrator Certificate endorsed for the~~ School Principal ~~endorsement~~, a candidate must ~~have satisfied~~meet the following requirements: ()

i. Hold a master's degree from an accredited college or university. ()

ii. ~~Have Complete~~ four (4) years of full-time certificated experience working with students, while under contract in an accredited school setting. ()

iii. ~~Have e~~Completed an administrative internship in a state- ~~board~~ approved program, or have one (1) year of experience as an administrator. ()

iv. Provide verification of completion of a state-approved program of at least thirty (30) semester credit hours; ~~forty five (45) quarter credit hours~~, of graduate study in school administration for the preparation of school principals at an accredited college or university. This program shall include the demonstration of proficiency in conducting instructional and pupil service staff evaluations based on the statewide framework for evaluation, and ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

competencies ~~of~~in the Idaho Standards for School Principals. ()

- v. Receive ~~An~~ institutional recommendation ~~is required~~ for a School Principal ~~E~~endorsement. ()

b. Superintendent Endorsement. To be eligible for ~~an Administrator Certificate with a~~the Superintendent endorsement, a candidate must ~~have satisfied~~meet the following requirements: ()

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

ii. Have four (4) years of full-time certificated/licensed experience working with students while under contract in an accredited school setting. ()

iii. ~~Have e~~Completed an administrative internship in a state- board approved program for the superintendent endorsement or have one (1) year of out-of-state experience as an assistant superintendent or superintendent. ()

iv. Provide verification of completion of an approved program of at least thirty (30) semester credit hours, ~~or forty five (45) quarter credit hours~~, of post-master's degree graduate study for the preparation of school superintendents at an accredited college or university. This program in school administration ~~and interdisciplinary supporting areas shall~~must include the demonstration of proficiency in conducting instructional and pupil service staff evaluations based on the statewide framework for evaluation, and demonstration of competencies in the Idaho standards for Superintendents Leadership, in addition toand the ~~competencies in the~~ Idaho Standards for School Principals. ()

v. ~~An~~Receive an institutional recommendation ~~is required~~ for a ~~School~~ Superintendent ~~E~~endorsement ~~(Pre-K-12)~~. ()

c. Director of Special Education Endorsement. To be eligible for ~~an Administrator Certificate endorsed~~ for the Director of Special Education endorsement, a candidate must ~~have satisfied all of~~meet the following requirements: ()

i. Hold a master's degree from an accredited college or university; ()

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

iii. ~~Obtain college or university~~Provide verification of ~~demonstrated the competencies of the Director of Special Education in Idaho Standards for Initial Certification of Professional School Personnel~~a state board approved program of graduate study of school administration for the preparation of directors of special education at an accredited college or university. This program shall include demonstration of proficiency in conducting instructional and pupil service staff evaluations based on the statewide framework for evaluation, and demonstration of competencies in the Idaho Standards for Directors of Special Education and the Idaho Standards for School Principals. Coursework shall include knowledge and competence in understanding the Individuals with Disabilities Education Act, utilizing the Idaho Special Education Manual, special education funding and fiscal accountability, results-driven leadership and accountability in special education, and instructional, behavioral, and management strategies for supporting students in the least restrictive environment; ~~Obtain college or university verification of demonstrated the competencies of the Director of Special Education in Idaho Standards for Initial Certification of Professional School Personnel;~~ ()

iv. ~~Obtain college or university verification of demonstrated competencies in the following areas, in addition to the competencies in the Idaho Standards for School Principals: Concepts of Least Restrictive Environment; Post School Outcomes and Services for Students with Disabilities Ages Three (3) to Twenty one (21); Collaboration Skills for General Education Intervention; Instructional and Behavioral Strategies; Individual Education Programs~~

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

~~(IEPs); Assistive and Adaptive Technology; Community Based Instruction and Experiences; Data Analysis for Instructional Needs and Professional Training; Strategies to Increase Program Accessibility; Federal and State Laws and Regulations and School District Policies; Resource Advocacy; and Technology Skills for Referral Processes, and Record Keeping; ()~~

- ~~iv.~~ Have completed an administrative internship in the area of administration of special education; and ()
- ~~vi.~~ An institutional recommendation is required for Director of Special Education endorsement. ()

04. ~~Certification Standards For Career Technical Educators~~Career Technical Certification Requirements. ~~Teachers of career technical courses or programs in secondary schools must hold an occupational specialist certificate and an endorsement in an appropriate occupational discipline. All occupational certificates must be approved by the Division of Career Technical Education regardless of the route an individual is pursuing to receive the certificate. ()~~

05a. ~~Standard Degree Based Career Technical Certification~~Certificate. ~~Persons who hold a degree based career technical certificate are eligible to teach in a career technical area, subject to the grade range(s) and subject area(s) of the valid endorsement(s) attached to the certificate. All degree based career technical certificates require candidates to meet the Idaho Core Teaching Standards. The degree based career technical certificate is valid for five years. A degree based career technical certificate may be issued to any person who has a baccalaureate degree from an accredited college or university and meets the following requirements: ()~~

~~ai.~~ ~~Individuals graduating from an approved occupational teacher preparation degree program qualify to teach in the following seven (7) disciplines: agricultural science and technology; business technology education; computer science technology; engineering; family and consumer sciences; marketing technology education; and technology education. Occupational teacher preparation course work must meet the Idaho Standards for the Initial Certification of Professional School Personnel. The occupational teacher education program must provide appropriate content to constitute a major in the identified field. Student teaching shall be in an approved program and include experiences in the major field. Applicants shall have accumulated one thousand (1,000) clock hours of related work experience or practicum in their respective field of specialization, as approved by the Division of Career Technical Education. The certificate is valid for five (5) years. Six (6) semester credit hours are required every five (5) years pursuant to Section 060 of these rules. Earned a minimum of twenty (20) semester credit hours in the philosophical, psychological, methodological foundations, instructional technology, and in the professional subject matter of education, which shall include demonstration of competencies as specified in the Idaho Comprehensive Literacy Plan; ()~~

~~ii.~~ Earned a minimum of twelve (12) semester credit hours in career technical education foundation coursework to include principles and philosophies of career technical education, evaluation and assessment in career technical education, leadership and career technical student organization leadership, career guidance and transition, occupational analysis and curriculum development, and lab safety; ()

~~iii.~~ Accumulated one thousand (1,000) clock hours of related industry experience, or practicum as approved by the higher education institution, in the respective field of specialization; ()

~~iv.~~ Completed a total of at least ten (10) undergraduate semester credit hours or six (6) graduate semester credit hours of student teaching; ()

~~v.~~ Completed a state board approved educator preparation program and received an institutional recommendation specifying the grade ranges and subjects for which the person is eligible to receive an endorsement; ()

~~(1)~~ To receive endorsement in two (2) fields of teaching, preparation must consist of at least thirty (30) semester credit hours in one (1) field of teaching and completion of at least twenty (20) semester credit hours in a

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

second field of teaching. ()

(2) To receive endorsement in one (1) field of teaching, preparation must consist of completion of at least forty-five (45) semester credit hours in a single subject area. ()

vi. Met or exceeded the state qualifying score on the state board-approved content area and pedagogy assessments. ()

vii. Six (6) semester credit hours are required every five (5) years to renew. The renewal credit may be waived if the applicant holds a current, valid certificate from the National Board for Professional Teaching Standards at the time of renewal. Credits must be earned during the validity period of the certificate. ()

b. **Career Technical Education Program Administrator Certificate.** The ~~C~~career ~~T~~technical ~~E~~ducation ~~p~~rogram ~~a~~Administrator certificate is required for an individual serving as an administrator, director, or manager of career technical education programs ~~at the state Division of Career Technical Education or~~ in Idaho public schools. Individuals must meet one (1) of the two (2) following prerequisites to qualify for the ~~C~~career ~~T~~technical ~~E~~ducation ~~p~~rogram ~~A~~Administrator ~~C~~ertificate. The certificate is valid for five (5) years. Six (6) semester credit hours are required every five (5) years pursuant to Section 060 of these rules to renew. ()

~~i~~(1). Qualify for or hold an ~~A~~advanced ~~O~~ccupational ~~S~~pecialist certificate or hold an occupational endorsement on a degree based career technical certificate; provide evidence of a minimum of four (4) years teaching, three (3) of which must be in a career technical ~~education~~ discipline; hold a master's degree; and complete at least fifteen (15) semester credits of administrative course work ~~to include required credits in.~~ ()

~~(1)~~ ~~Applicants must have completed credits in:~~ education finance, administration and supervision of personnel, ~~and~~ legal aspects of education; ~~and conducting evaluations using the statewide framework for teacher evaluations.~~ ()

~~(2)~~ ~~Additional Remaining~~ course-work may be selected from ~~any of the following areas:~~ administration and supervision of occupational programs; instructional supervision; administration internship; curriculum development; curriculum evaluation; research in curriculum; school community relations; communication; teaching the adult learner; coordination of work-based learning programs; and/or measurement and evaluation. ()

~~ii~~(2) Hold a superintendent or principal endorsement on a standard administrator certificate and provide evidence of a minimum of four (4) years teaching, three (3) of which must be in a career technical discipline or successfully complete the Division of Career Technical Education twenty-seven (27) month Idaho career technical education leadership institute. ()

~~06b.~~ **Industry-Based Occupational Specialist Certificate.** ~~The industry-based Occupational Specialist Certificates are industry-based career technical certifications issued in lieu of a degree-based career technical certificate. Certificate holders must~~ Persons who hold an occupational specialist career technical certificate are eligible to teach in a career technical program pathway-(s), subject to the grade range(s) and pathway areas(s) of the valid endorsement(s) attached to the certificate. All occupational specialist career technical certificates require candidates to meet the core teaching standards of the Idaho Standards for Initial Certification of Professional School Personnel. An occupational specialist career technical certificate may be issued to an experienced industry expert entering the teaching profession and meeting the following eligibility requirements: ()

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

~~i~~(1) Have three (3) years or six thousand (6,000) hours of recent, gainful employment in the occupation for which certification is requested, at least half of which must have been during the immediate previous five (5) years; ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

or ()

~~ii.~~(2) Have a baccalaureate degree in the specific occupation or related area, plus one (1) year or two thousand (2,000) hours of recent, gainful employment in the occupation for which certification is requested, at least half of which must have been during the immediate previous five (5) years; or ()

~~iii.~~(3) Hold or have held an industry certification in a field closely related to the content area in which the individual seeks to teach as approved by the Division of Career Technical Education. ()

~~b.i.~~ Limited Occupational Specialist Certificate. This certificate is issued to individuals who are new to teaching in Idaho public schools or new to teaching in career technical education in Idaho public schools. The certificate is an interim certificate and is valid for three (3) years and is non-renewable. Applicants must meet all of the minimum requirements established in Subsection 015.06.a. of these rules. Individuals on a limited occupational specialist certificate must complete one (1) of the two (2) following pathways during the validity period of the certificate: ()

~~i.~~(1) Pathway I - Coursework: Within the three-year period of the Limited Occupational Specialist Certificate, the instructor must satisfactorily complete the pre-service training prescribed by the Division of Career Technical Education and demonstrate competencies in principles/foundations of occupational education and methods of teaching occupational education. Additionally, the instructor must satisfactorily demonstrate competencies in two (2) of the following areas: career pathways and guidance; analysis, integration, and curriculum development; and measurement and evaluation. ()

~~ii.~~(2) Pathway II – Cohort Training: Within the first twelve (12) months, the holder must enroll in the Division of Career Technical Education sponsored education pedagogy training and complete all requirements within the three-year validity period of the interim certificate. ()

~~e.ii.~~ Standard Occupational Specialist Certificate. ()

~~i.~~(1) This certificate is issued to individuals who have held a limited occupational specialist certificate and completed one (1) of the pathways for ~~completions~~renewable certification. ()

~~ii.~~(2) The Standard Occupational Specialist Certificate is valid for five (5) years. Six (6) semester credit hours are required every five (5) years pursuant to Section 060 of these rules to renew. Credit equivalency will be based on verification of forty-five (45) hours of participation at approved technical conferences, institutes, or workshops where participation is prorated at the rate of fifteen (15) hours per credit; or one hundred twenty (120) hours of approved related work experience where hours worked may be prorated at the rate of forty (4) hours per credit; or any equivalent combination thereof; ~~and having on file a new professional development plan for the next certification period.~~ ()

~~d.iii.~~ Advanced Occupational Specialist Certificate. This certificate is issued to individuals who: ()

~~i.~~ ~~A~~are eligible for the Standard Occupational Specialist Certificate; and ()

~~ii.~~ ~~P~~provide evidence of completion of a teacher training degree program or eighteen (18) semester credits of Division of Career Technical Education approved education or content-related course work in addition to the twelve (12) semester credits required for the Standard Occupational Specialist Certificate (a total of thirty (30) semester credits); and ()

~~iii.~~ ~~Have on file a new professional development plan for the next certification period.~~ ()

~~iv.~~ The Advanced Occupational Specialist Certificate is valid for five (5) years. Six (6) semester credit hours are required every five (5) years pursuant to Section 060 of these rules to renew. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

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

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

b. ~~Fees. The fee is the same as an initial or renewal certificate as established in Section 066 of these rules.~~ ()

c. The candidate must meet the following qualifications: ()

i. Hold a ~~master's~~ baccalaureate degree or higher in the content area being taught; ()

ii. Be currently employed by the postsecondary institution in the content area to be taught; and ()

iii. Complete and pass a criminal history background check as required by Section 33-130, Idaho Code. ()

086. American Indian Tribal Language Certificate. ~~Each Indian~~The five (5) federally recognized tribes of Idaho shall provide to the State Department of Education the names of those highly and uniquely qualified individuals who have been designated to teach ~~the tribe's native~~tribal language(s) in accordance with Section 33-1280, Idaho Code. ~~Individuals identified by the tribe(s) may apply~~To be eligible for an ~~Idaho~~ American Indian Tribal Languages Certificate ~~certificate as American Indian languages teachers.~~an applicant designated to teach tribal language(s) shall submit a complete application. If approved the certificate shall be issued for five years and is renewable. ()

a. ~~The Office of Indian Education at the State Department of Education will process an application that has met the requirements of the Tribe(s) for an American Indian languages teacher.~~ ()

b. ~~Once an application with Tribal approval has been received, it will be reviewed and, if approved, it will be forwarded to the Office of Certification for a criminal history background check as required in Section 33-130, Idaho Code. The application must include a ten-finger fingerprint card or scan and a fee for undergoing a background investigation check pursuant to Section 33-130, Idaho Code.~~ ()

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

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

a. ~~Each local education agency with a Junior ROTC program shall provide the State Department of Education a list of individuals who have completed an official armed forces training program to qualify as~~ To be eligible for a Junior ROTC instructors in high schools**Instructor certificate, an applicant shall submit a complete application and provide a** ~~notarized~~ copy of their certificate(s) or letter of completion of an armed forces Junior ROTC training program. ()

b. ~~Authorization Letter. Upon receiving the items identified in Subsection 015.09.a. If approved the certificate shall be issued for five years and is renewable.~~

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

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

a. Administrator certificate renewal. In order to recertify, holders of an administrator certificate must complete a course consisting of a minimum of three (3) semester credits in the Idaho framework for teachers' evaluation pursuant to Section 33-1204, Idaho Code. Credits must be earned through an approved educator preparation program and include a laboratory component. The laboratory component must include in-person or video observation and scoring of teacher performance using the statewide framework for teacher's evaluation. The approved course must include the following competencies: ()

i. Understanding professional practice in Idaho evaluation requirements, including gathering accurate evidence and artifacts, understanding and using the state framework for evaluation rubric with fidelity, proof of calibration and interrater reliability, ability to provide effective feedback for teacher growth, and understanding and advising teachers on individualized learning plan and portfolio development. ()

ii. Understanding student achievement and growth in the Idaho evaluation framework, including understanding how measurable student achievement and growth measures impact summative evaluation ratings and proficiency in assessment literacy. ()

016. Idaho Interim Certificate.

A three ~~(3)-~~ year interim certificate may be issued to ~~those~~ applicants who hold a valid certificate ~~or~~ license from another state or other entity that participates in the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement pursuant to Section 33-4104, Idaho Code, or who are engaged in or completed a non-traditional route to teacher certification as prescribed herein. An interim certificate gives the holder the same rights and responsibilities as an individual with a standard certificate. ()

01. Interim Certificate Not Renewable. Interim certification is only available on a one ~~(1)-~~ time basis except under extenuating circumstances approved by the State Department of Education or Division of Career Technical Education. It will be the responsibility of the individual to An applicant must meet the requirements of the applicable alternate authorization route or non-traditional route and to obtain a full standard Idaho Educator Credential during the term of the interim certificate. ()

02. Non-Traditional Route to Teacher Certification. An individual may acquire interim certification through a state board approved non-traditional route to teacher certification program. The non-traditional route may be used for first-time certification, subsequent certificates, and additional endorsements. ()

a. Individuals who possess a baccalaureate degree or higher from an ~~accredited~~ institution of higher education accredited by an entity recognized by the state board of education may ~~utilize this non-traditional route to~~ an ~~receive an~~ interim instructional certificate. To ~~complete this non-traditional route~~ receive the interim certificate, the individual must: ()

i. Complete or enroll in a state board approved program; and ()

ii. Pass the state board approved pedagogy and content area assessment; ~~and~~. ()

~~iii. Complete the Idaho Department of Education background investigation check.~~ ()

b. ~~Interim Certificate~~ Standard certification. Upon completion of ~~this certification process~~ the non-traditional route the applicant must, ~~the individual will be awarded an interim certificate. During the term of the interim certificate, the individual must teach and~~ complete a two (2) year state board approved teacher mentoring program and receive two (2) years of successful evaluations per pursuant to Section 33-1001, Idaho Code. ()

~~c. Interim Certificate Not Renewable. This interim certification is available on a one (1) time basis. The individual is responsible for obtaining a valid renewable standard instructional certificate during the three (3) year~~

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

~~interim certification term.~~ ()

~~d. Types of Certificates and Endorsements. The non traditional route may be used for first time certification, subsequent certificates, and additional endorsements.~~ ()

03. Idaho Comprehensive Literacy Course. ~~For a~~ All Idaho teachers working on an interim certificate, (alternate authorizations, nontraditional routes, reinstatements, or coming from out of the state), must complete ~~ion of~~ a state board approved Idaho Comprehensive Literacy course or assessment, ~~or approved secondary equivalent shall be as~~ a one-time requirement for full standard instructional certification. ()

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

04. Teaching for Mathematical Thinking for Instruction. ~~For a~~ All Idaho teachers or administrators working on an interim certificates (alternate authorizations, nontraditional routes, reinstatements or coming from out of the state), with an All Subjects (K-8) endorsement, any mathematics endorsement, Exceptional Child Generalist Education endorsement, Blended Early Childhood/Early Childhood Special Education endorsement, or Administrator certificate must complete at the state board approved Teaching for Mathematical Thinking for Instruction, or another State Department of Education approved alternative course, as a one-time requirement for full certification. ()

~~05. Technology. Out of state applicants may be reviewed by the hiring local education agency for technology deficiencies and may be required to take technology courses to improve their technology skills.~~ ()

06. Reinstatement of Expired Certificate. An individual holding an expired Idaho certificate may be issued an nonrenewable three year interim certificate. During the validity period of the interim certificate, the applicant must meet the following requirements to obtain full standard certification during the term of the interim certificate: ()

a. Two (2) years of successful evaluations as per Section 33-1001, Idaho Code. ()

b. Measured annual progress on specific goals identified on the applicant's Individualized Professional Learning Plan. ()

c. Completion of ~~S~~six (6) credit renewal requirement. ()

d. ~~Any applicable requirement for~~ Completion of the Idaho Comprehensive Literacy Course or Teaching for Mathematical Thinking for Instruction as indicated in Subsections 016.02 and 016.03 provided herein. ()

~~07. Foreign Institutions. An educator having graduated from a foreign institution may be issued a non renewable, three year interim certificate. The applicant must also complete the requirements listed in Section 013 of these rules.~~ ()

08. Codes of Ethics. All laws and rules governing standard certificated staff with respect to conduct, discipline, and professional standards shall apply to all certified staff serving in an Idaho public school, including those employed under an interim certificate. ()

017. Content, Pedagogy And Performance Assessment For Certification.

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

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

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

018. -- 020. (RESERVED)

021. Endorsements.

Holders of an Instructional Certificate or Occupational Specialist Certificate ~~may be granted endorsements in areas as provided herein~~ must have one (1) or more endorsements attached to their certificate and as applicable to the type of certification. Instructional staff are eligible to teach in the grades and content areas of their endorsements. Idaho preparation programs shall prepare candidates for endorsements in accordance with the Idaho Standards for Initial Certification of Professional School Personnel. An official statement from the college of education of competency in a ~~teaching content~~ area or field is acceptable in lieu of required credits if such statements are created in consultation with the department or division of the accredited college or university in which the competency is established and are approved by the director of teacher education of the recommending college or university. Statements must include the number of credits the competency evaluation is equivalent to. To add an endorsement to an existing certificate, an individual shall complete the credit hour requirements as ~~provided herein~~ established by the state board of education and also meet or exceed the state qualifying score on appropriate, a state approved content, pedagogy and performance assessments. ~~When converting semester credit hours to quarter credit hours, two (2) semester credit hours is equal to three (3) quarter credit hours.~~ ()

01. Clinical Experience Requirement. All endorsements require supervised clinical experience in the relevant content area, or a State Department of Education or Division of Career Technical Education approved alternative clinical experience as applicable to the area of endorsement. ()

02. Alternative Authorization - Teacher to New Endorsement. This alternative authorization allows a local education agency to request additional endorsement for a candidate. This authorization is valid for one (1) year and may be renewed for two (2) additional years with evidence of satisfactory progress. The candidate shall provide evidence of pursuing one of the following options: ()

a. Option I -- An official statement of competency in a teaching area or field from the college of education of an accredited college or university is acceptable in lieu of courses if the statement is created in consultation with the department or division in which the competency is established and is approved by the director of teacher education of the recommending college or university. ()

~~**b.** Option II -- National Board. By earning National Board Certification in content specific areas, teachers may gain endorsement in a corresponding subject area.~~ ()

c. Option III -- Master's degree or higher. By earning a graduate degree in a content specific area, candidates may add an endorsement in that same content area to a valid instructional certificate. Successful completion

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

of a one (1) year, state board approved mentoring program is required to maintain the endorsement after the first year.
()

d. Option ~~IV~~^{III} -- Content area assessment and mentoring. A candidate may add A~~an~~ endorsement ~~may be added~~ by successfully completing a state board-approved content areas assessment ~~within the first year of authorization~~ and a one-year, state board-approved mentoring program within the first year of authorization. ()

03. National Board Certification. An applicant holding an instructional certificate and current national board certification may add an endorsement in a corresponding content-specific area.

022. Instructional Certificate Endorsements A—D.

~~01. All Subjects (K-8). Allows one to teach in any educational setting (K-8). Twenty (20) semester credit hours, or thirty (30) quarter credit hours in the philosophical, psychological, methodological foundations, instructional technology, and professional subject matter must be in elementary education including at least six (6) semester credit hours, or nine (9) quarter credit hours, in developmental reading. This endorsement must be accompanied by at a minimum one (1) additional subject area endorsement allowing teaching of that subject through grade 9 or kindergarten through grade 12.~~ ()

~~02. American Government /Political Science (5-9 or 6-12). Twenty (20) semester credit hours to include: a minimum of six (6) semester credit hours in American government, six (6) semester credit hours in U.S. history survey, and a minimum of three (3) semester credit hours in comparative government. Remaining course work must be selected from political science. Course work may include three (3) semester credit hours in world history survey.~~ ()

~~03. Bilingual Education (K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Bilingual Education Teachers to include all of the following: upper division coursework in one (1) modern language other than English, including writing and literature, and advanced proficiency according to the American Council on the Teaching of Foreign Languages guidelines; cultural diversity; ESL/bilingual methods; linguistics, second language acquisition theory and practice; foundations of ESL/bilingual education, legal foundations of ESL/bilingual education, identification and assessment of English learners, biliteracy; at least one (1) semester credit hour in bilingual clinical field experience.~~ ()

~~04. Biological Science (5-9 or 6-12). Twenty (20) semester credit hours including coursework in each of the following areas: molecular and organismal biology, heredity, ecology and biological adaptation.~~ ()

~~05. Blended Early Childhood Education/Early Childhood Special Education (Birth—Grade 3). The Blended Early Childhood Education/Early Childhood Special Education (Birth—Grade 3) endorsement allows one to teach in any educational setting birth through grade three (3). To be eligible, a candidate must have satisfied the following requirements a minimum of thirty (30) semester credit hours in the philosophical, psychological, and methodological foundations, in instructional technology, and in the professional subject matter of early childhood and early childhood special education. The professional subject matter shall include course work specific to the child from birth through grade three (3) in the areas of child development and learning; curriculum development and implementation; family and community relationships; assessment and evaluation; professionalism; clinical experience including a combination of general and special education in the following settings: birth to age three (3), ages three to five (3-5), and grades K-3 general education.~~ ()

~~06. Blended Elementary Education/Elementary Special Education (Grade 4—Grade 6). The Blended Elementary Education/Elementary Special Education (Grade 4—Grade 6) endorsement allows one to teach in any grade four (4) through grade six (6) education setting, except in a middle school setting. This endorsement may only be issued in conjunction with the Blended Early Childhood Education/Early Childhood Special Education (Birth—Grade 3) endorsement. To be eligible for a Blended Elementary Education/Elementary Special Education (Grade 4—Grade 6) endorsement, a candidate must have satisfied the following requirements: Completion of a program of a minimum of twenty (20) semester credit hours in elementary education and special education coursework to include: methodology and content knowledge (mathematics, literacy, science, health, physical education art), technology,~~

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

assessment, and clinical experiences in grades four (4) through six (6). _____ ()

~~07. Chemistry (5-9 or 6-12).~~ Twenty (20) semester credit hours in the area of chemistry, to include coursework in each of the following areas: inorganic and organic chemistry. _____ ()

~~08. Communication (5-9 or 6-12).~~ Follow one (1) of the following options: _____ ()

~~a. Option I~~ Twenty (20) semester credit hours to include methods of teaching speech/communications plus course work in at least four (4) of the following areas: interpersonal communication/human relations; argumentation/personal persuasion; group communications; nonverbal communication; public speaking; journalism/mass communications; and drama/theater arts. _____ ()

~~b. Option II~~ Possess an English endorsement plus at least twelve (12) semester credit hours distributed among the following: interpersonal communication/human relations, public speaking, journalism/mass communications, and methods of teaching speech/communication. _____ ()

~~09. Computer Science (5-9 or 6-12).~~ _____ ()

~~a~~ Twenty (20) semester credit hours of course work in computer science, including course work in the following areas: data representation and abstraction; design, development, and testing algorithms; software development process; digital devices systems network; and the role of computer science and its impact on the modern world; or _____ ()

~~b.~~ Occupational teacher preparation pursuant to Subsections 015.04 through 015.06. _____ ()

~~10. Deaf/Hard of Hearing (Pre-K-12).~~ Completion of a minimum of thirty three (33) semester credit hours in the area of deaf/hard of hearing with an emphasis on instruction for students who use sign language or completion of a minimum thirty three (33) semester credit hours in the area of deaf/hard of hearing with an emphasis on instruction for students who use listening and spoken language. Coursework to include: American Sign Language, listening and spoken language development, hearing assessment, hearing assistive technology, students with disabilities, pedagogy for teaching students who are deaf or hard of hearing, assessments, and clinical practice. _____ ()

~~023. Instructional Certificate Endorsements E-L.~~

~~01. Early Childhood Special Education (Pre-K-3).~~ The Early Childhood Special Education (Pre-K-3) endorsement is non-categorical and allows one to teach in any Pre-K-3 special education setting. This endorsement may only be added to the Exceptional Child Generalist (K-8 or K-12) endorsement. To be eligible a candidate must have satisfied the following requirements: _____ ()

~~a.~~ Completion of a program of a minimum of twenty (20) semester credit hours in the area of early childhood education to include course work in each of the following areas: child development and behavior with emphasis in cognitive language, physical, social and emotional areas, birth through age eight (8); curriculum and program development for young children ages three to eight (3-8); transitional services; methodology: planning, implementing and evaluating environments and materials for young children ages three to eight (3-8); guiding young children's behavior: observing, assessing and individualizing ages three to eight (3-8); identifying and working with atypical young children ages three to eight (3-8) parent teacher relations; and clinical practice at the Pre-K-3 grades. _____ ()

~~02. Earth and Space Science (5-9 or 6-12).~~ Twenty (20) semester credit hours including course work in each of the following areas: earth science, astronomy, and geology. _____ ()

~~03. Economics (5-9 or 6-12).~~ Twenty (20) semester credit hours to include a minimum of three (3) semester credit hours of micro economics, a minimum of three (3) semester credit hours of macro economics, and a minimum of six (6) semester credit hours of personal finance/consumer economics/economics methods. Remaining _____ ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

~~course work may be selected from business, economics, or finance course. ()~~

~~04. Engineering (5-9 or 6-12). Twenty (20) semester credit hours of engineering course work. ()~~

~~05. English (5-9 or 6-12). Twenty (20) semester credit hours, including coursework in all of the following areas: grammar, American literature, British literature, multicultural/world literature, young adult literature, and literary theory. Additionally, a course in advanced composition, excluding the introductory sequence designed to meet general education requirements, and a course in secondary English language arts methods are required. ()~~

~~06. English as a Second Language (ESL) (K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for ESL Teachers to include all of the following: a modern language other than English; cultural diversity; ESL methods; linguistics; second language acquisition theory and practice; foundations of ESL/bilingual education, legal foundations of ESL/bilingual education, identification and assessment of English learners; and at least one (1) semester credit in ESL clinical field experience. ()~~

~~07. Exceptional Child Generalist (K-8, 6-12, or K-12). The Exceptional Child Generalist endorsement is non-categorical and allows one to teach in any special education setting, applicable to the grade range of the endorsement. Regardless of prior special education experience, all initial applicants must provide an institutional recommendation that an approved special education program has been completed, with clinical experience to include student teaching in an elementary or secondary special education setting. To be eligible, a candidate must complete thirty (30) semester credit hours in special education, or closely related areas, as part of an approved special education program. ()~~

~~08. Geography (5-9 or 6-12). Twenty (20) semester credit hours including course work in cultural geography and physical geography, and a maximum of six (6) semester credit hours in world history survey. The remaining semester credit hours must be selected from geography. ()~~

~~09. Geology (5-9 or 6-12). Twenty (20) semester credit hours in the area of geology. ()~~

~~10. Gifted and Talented (K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Teachers of Gifted and Talented Students, to include coursework in the following areas of gifted and talented education: foundations, creative and critical thinking, social and emotional needs, curriculum, instruction, assessment and identification, differentiated instruction, program design, and clinical practice. ()~~

~~11. Health (5-9, 6-12, or K-12). Twenty (20) semester credit hours to include course work in each of the following areas: organization/administration/planning of a school health program; health, wellness, and behavior change; secondary methods of teaching health, to include field experience in a traditional classroom; mental/emotional health; nutrition; human sexuality; substance use and abuse. Remaining semester credits must be in health related course work. To obtain a Health K-12 endorsement, applicants must complete an elementary health methods course. ()~~

~~12. History (5-9 or 6-12). Twenty (20) semester credit hours to include a minimum of six (6) semester credit hours of U.S. history survey and a minimum of six (6) semester credit hours of world history survey. Remaining course work must be in history. Course work may include three (3) semester credit hours in American government. ()~~

~~13. Humanities (5-9 or 6-12). An endorsement in English, history, music, visual art, drama, or foreign language and twenty (20) semester credit hours in one of the following areas or ten (10) semester credit hours in each of two (2) of the following areas: literature, music, foreign language, humanities survey, history, visual art, philosophy, drama, comparative world religion, architecture, and dance. ()~~

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

~~14. Journalism (5-9 or 6-12). Follow one (1) of the following options: ()~~

~~a. Option I Twenty (20) semester credit hours to include a minimum of fourteen (14) semester credit hours in journalism and six (6) semester credit hours in English and/or mass communication. ()~~

~~b. Option II Possess an English endorsement with a minimum of six (6) semester credit hours in journalism. ()~~

~~15. Literacy (K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Literacy Teachers to include the following areas: foundations of literacy (including reading, writing, listening, speaking, viewing, and language); development and diversity of literacy learners; literacy in the content area; literature for youth; language development; corrective/diagnostic/remedial reading; writing methods; and reading methods. To obtain a Literacy endorsement, applicants must complete the Idaho Comprehensive Literacy Course or the Idaho Comprehensive Literacy Assessment. ()~~

024. Instructional Certificate Endorsements M-Z.

~~01. Mathematics (6-12). Twenty (20) semester credit hours including course work in each of the following areas: Euclidean and transformational geometry, linear algebra, discrete mathematics, statistical modeling and probabilistic reasoning, and the first two (2) courses in a standard calculus sequence. A minimum of two (2) of these twenty (20) credits must be focused on secondary mathematics pedagogy. Statistics course work may be taken from a department other than the mathematics department. ()~~

~~02. Mathematics Middle Level (5-9). Twenty (20) semester credit hours in Mathematics content course work in algebraic thinking, functional reasoning, Euclidean and transformation geometry and statistical modeling and probabilistic reasoning. A minimum of two (2) of these twenty (20) credits must be focused on secondary mathematics pedagogy. Six (6) semester credit hours of computer programming may be substituted for six (6) semester credits in mathematics content. ()~~

~~03. Music (5-9 or 6-12 or K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Music Teachers to include course work in the following: theory and harmony; aural skills, music history; conducting; applied music; and piano proficiency (class piano or applied piano), and secondary music methods/materials. To obtain a Music K-12 endorsement, applicants must complete an elementary music methods course. ()~~

~~04. Natural Science (5-9 or 6-12). Follow one (1) of the following options: ()~~

~~a. Option I Must hold an existing endorsement in one of the following areas: biological science, chemistry, Earth science, geology, or physics; and complete a total of twenty four (24) semester credit hours as follows: ()~~

~~i. Existing Biological Science Endorsement. Eight (8) semester credit hours in each of the following areas: physics, chemistry, and Earth science or geology. ()~~

~~ii. Existing Physics Endorsement. Eight (8) semester credit hours in each of the following areas: biology, chemistry, and Earth science or geology. ()~~

~~iii. Existing Chemistry Endorsement. Eight (8) semester credit hours in each of the following areas: biology, physics, and Earth science or geology. ()~~

~~iv. Existing Earth science or Geology Endorsement. Eight (8) semester credit hours in each of the following areas: biology, physics, and chemistry. ()~~

~~b. Option II Must hold an existing endorsement in Agriculture Science and Technology; and~~

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

~~complete twenty four (24) semester credit hours with at least six (6) semester credit hours in each of the following areas: biology, chemistry, Earth science or geology, and physics. ()~~

~~**05. Online Teacher (K-12).** To be eligible for an Online Teacher (K-12) endorsement, a candidate must have satisfied the following requirements: ()~~

~~**a.** Meets the state's professional teaching and/or licensure standards and is qualified to teach in his/her field of study. ()~~

~~**b.** Provides evidence of online course time as a student and demonstrates online learning experience. ()~~

~~**c.** Has completed an eight (8) week online clinical practice in a K-12 program, or has one (1) year of verifiable and successful experience as a teacher delivering curriculum online in grades K-12 within the past three (3) years. ()~~

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

~~**e.** Demonstrates proficiency in the Idaho Standards for Online Teachers. ()~~

~~**06. Physical Education (PE) (5-9 or 6-12 or K-12).** Twenty (20) semester credit hours to include course work in each of the following areas: personal and teaching competence in sport, movement, physical activity, and outdoor skills; secondary PE methods; administration and curriculum to include field experiences in physical education; student evaluation in PE; safety and prevention of injuries; fitness and wellness; PE for special populations; exercise physiology; kinesiology/biomechanics; motor behavior; and current CPR and first aid certification. To obtain a PE K-12 endorsement, applicants must complete an elementary PE methods course. ()~~

~~**07. Physical Science (5-9 or 6-12).** Twenty (20) semester credit hours in the area of physical science to include a minimum of eight (8) semester credit hours in each of the following: chemistry and physics. ()~~

~~**08. Physics (5-9 or 6-12).** Twenty (20) semester credit hours in the area of physics. ()~~

~~**09. Psychology (5-9 or 6-12).** Twenty (20) semester credit hours in the area of psychology. ()~~

~~**10. Science — Middle Level (5-9).** Twenty four (24) semester credit hours in science content coursework including at least eight (8) credits in each of the following: biology, earth science, and physical science to include lab components. Science foundation standards must be met. ()~~

~~**11. Social Studies (6-12).** Must have an endorsement in history, American government/political science, economics, or geography plus a minimum of twelve (12) semester credit hours in each of the remaining core endorsements areas: history, geography, economics, and American government/political science. ()~~

~~**12. Social Studies — Middle Level (5-9).** Twenty (20) Semester credit hours in social studies content coursework including at least five (5) credits in each of the following: history, geography, and American government/political science or economics. Social studies foundations must be met. ()~~

~~**13. Sociology (5-9 or 6-12).** Twenty (20) semester credit hours in the area of sociology. ()~~

~~**14. Sociology/Anthropology (5-9 or 6-12).** Twenty (20) semester credit hours including a minimum of six (6) semester credit hours in each of the following: anthropology and sociology. ()~~

~~**15. Teacher Leader.** Teacher leaders provide technical assistance to teachers and other staff in the local~~

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

~~education agency with regard to the selection and implementation of appropriate teaching materials, instructional strategies, and procedures to improve the educational outcomes for students. Candidates who hold this endorsement facilitate the design and implementation of sustained, intensive, and job embedded professional learning based on identified student and teacher needs.~~ ()

~~a. Teacher Leader—Instructional Specialist—Eligibility for Endorsement. To be eligible for a Teacher Leader—Instructional Specialist endorsement on the Standard Instructional Certificate, a candidate must have satisfied the following requirements:~~ ()

~~i. Education requirement: Hold a Standard Instructional Certificate. Content within coursework to include clinical supervision, instructional leadership, and advanced pedagogical knowledge, and have demonstrated competencies in the following areas: providing feedback on instructional episodes; engaging in reflective dialogue centered on classroom instruction, management, and/or experience; focused goal setting and facilitation of individual and collective professional growth; understanding the observation cycle; and knowledge and expertise in data management platforms.~~ ()

~~ii. Experience: Completion of a minimum of three (3) years' full time certificated teaching experience while under contract in an accredited school setting.~~ ()

~~iii. Provides verification of completion of a state approved program of at least twenty (20) post baccalaureate semester credit hours of study at an accredited college or university or a state approved equivalent. Program shall include ninety (90) supervised contact hours to include a combination of face-to-face and field-based professional development activities and evidence that knowledge gained and skills acquired are aligned with Idaho Teacher Leader Standards.~~ ()

~~b. Teacher Leader—Literacy—Eligibility for Endorsement. To be eligible for a Teacher Leader—Literacy endorsement on the Standard Instructional Certificate, a candidate must have satisfied the following requirements:~~ ()

~~i. Education Requirements: Hold a Standard Instructional Certificate and have demonstrated content competencies in the Idaho Literacy Standards. Coursework and content domains required include foundational literacy concepts; fluency, vocabulary development, and comprehension; literacy assessment concepts; and writing process, which are all centered on the following emphases: specialized knowledge of content and instructional methods; data driven decision making to inform instruction; research-based differentiation strategies; and culturally responsive pedagogy for diverse learners.~~ ()

~~ii. Experience: Completion of a minimum of three (3) years' full time certificated experience while under contract in an accredited school setting.~~ ()

~~iii. Provides verification of completion of a state approved program of at least twenty (20) post baccalaureate semester credit hours of study at an accredited college or university or a state approved equivalent. Program shall include ninety (90) supervised contact hours to include a combination of face to face and field based professional development activities and evidence that knowledge gained and skills acquired are aligned with Idaho Teacher Leader Standards. The candidate must meet or exceed the state qualifying score on appropriate state approved literacy content assessment.~~ ()

~~c. Teacher Leader—Mathematics—Eligibility for Endorsement. To be eligible for a Teacher Leader—Mathematics endorsement on the Standard Instructional Certificate, a candidate must have satisfied the following requirements:~~ ()

~~i. Education Requirements: Hold a Standard Instructional Certificate and have demonstrated content competencies. Coursework and content domains required include number and operation, geometry, algebraic reasoning, measurement and data analysis, and statistics and probability, which are centered on the following emphases: structural components of mathematics; modeling, justification, proof, and generalization; and specialized mathematical knowledge for teaching.~~ ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

~~ii. Experience: Completion of a minimum of three (3) years' full-time certificated teaching experience while under contract in an accredited school setting. ()~~

~~iii. Provides verification of completion of a state-approved program of at least twenty (20) post baccalaureate semester credit hours of study at an accredited college or university or a state-approved equivalent. Program shall include ninety (90) supervised contact hours to include a combination of face-to-face and field-based professional development activities and evidence that knowledge gained and skills acquired are aligned with Idaho Teacher Leader Standards. The candidate must meet or exceed the state qualifying score on appropriate state-approved math content assessment. ()~~

~~d. Teacher Leader—Special Education—Eligibility for Endorsement. To be eligible for a Teacher Leader—Special Education endorsement on the Standard Instructional Certificate, a candidate must have satisfied the following requirements: ()~~

~~i. Education Requirements: Hold a Standard Instructional Certificate endorsed Generalist K-12, K-8, or 5-9 and have demonstrated content competencies in the following areas: assessment of learning behaviors; individualization of instructional programs based on educational diagnosis; behavioral and/or classroom management techniques; program implementation and supervision; use of current methods, materials, and resources available and management and operation of special education management platforms; identification and utilization of community or agency resources and support services; counseling, guidance, and management of professional staff; and special education law, including case law. ()~~

~~ii. Experience: Completion of a minimum of three (3) years' full-time certificated experience, at least two (2) years of which must be in a special education classroom setting, while under contract in an accredited school setting. ()~~

~~iii. Provides verification of completion of a state-approved program of at least twenty (20) post baccalaureate semester credit hours of study at an accredited college or university or a state-approved equivalent. Program shall include ninety (90) supervised contact hours to include a combination of face-to-face and field-based professional development activities and evidence that knowledge gained and skills acquired are aligned with Idaho Teacher Leader Standards. ()~~

~~16. Teacher Librarian (K-12). Twenty (20) semester credit hours of coursework leading toward competency as defined by Idaho Standards for Teacher Librarians to include the following: collection development/materials selection; literature for children and/or young adults; organization of information to include cataloging and classification; school library administration/management; library information technologies; information literacy; and reference and information service. ()~~

~~17. Theater Arts (5-9 or 6-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Theater Arts Teacher, including coursework in each of the following areas: acting and directing, and a minimum of six (6) semester credits in technical theater/stagecraft. To obtain a Theater Arts (6-12) endorsement, applicants must complete a comprehensive methods course including the pedagogy of acting, directing and technical theater. ()~~

~~18. Visual Arts (5-9, 6-12, or K-12). Twenty (20) Semester credit hours leading toward competency as defined by Idaho Standards for Visual Arts Teachers to include a minimum of nine (9) semester credit hours in: foundation art and design. Additional course work must include secondary arts methods, 2-dimensional and 3-dimensional studio areas. To obtain a Visual Arts (K-12) endorsement, applicants must complete an elementary art methods course. ()~~

~~19. Visual Impairment (Pre-K-12). Completion of a program of a minimum of thirty (30) semester credit hours in the area of visual impairment. An institutional recommendation specific to this endorsement is required. To be eligible for a Visually Impaired endorsement, a candidate must have satisfied the following requirements: ()~~

~~20. World Language (5-9, 6-12 or K-12). Twenty (20) semester credit hours to include a minimum of twelve (12) intermediate or higher credits in a specific world language. Course work must include two (2) or more of the following areas: grammar, conversation, composition, culture, or literature; and course work in foreign language methods. To obtain an endorsement in a specific foreign language (K-12), applicants must complete an elementary methods course. To obtain an endorsement in a specific foreign language, applicants must complete the following: ()~~

~~a. Score an intermediate high (as defined by the American Council on the Teaching of Foreign Languages or equivalent) on an oral proficiency assessment conducted by an objective second party; and ()~~

~~b. A qualifying score on a state approved specific foreign language content assessment, or if a specific foreign language content assessment is not available, a qualifying score on a state approved world languages pedagogy assessment) ()~~

~~025~~**22.** -- 027. (RESERVED)

28. Professional Endorsements.

The professional endorsement is required for movement on the professional compensation run of the career ladder and the advanced professional endorsement is required for movement on the advanced professional rung of the career ladder. Eligibility for the professional and advanced professional endorsement pursuant to Section 33-1201A, Idaho Code, may be established by providing additional evidence demonstrating effective teaching for the purpose of determining proficiency and student achievement in the event required standards for the professional endorsement are not met. ()

1. Measurable Student Achievement and Student Success Indicators. Evidence of a majority of the applicable staff person's students meeting measurable student achievement targets, or student success indicator targets, may be demonstrated by the certificated staff member providing evidence that students from an accredited private or out-of-state public school have met targets set by the certificated staff member. The measurable student achievement or student success indicators must be comparable to the measurable student achievement or student success indicator targets established by the hiring school for certificated staff in similar employment areas and similar grade ranges pursuant to Section 33-1001, Idaho Code. ()

02. Performance Criteria. Evidence of meeting the performance criteria as applicable to the professional or advanced professional endorsement pursuant to Section 33-1001, Idaho Code, may be provided through the submittal of annual evaluations showing standards aligned to the Idaho framework for teaching evaluation standards. ()

03. Validity of Evidence. Evidence provided must show that the certificated staff member met each of the proficiency and student achievement requirements in each year required. ()

04. Evaluation of Evidence. The local education agency administrator shall be responsible for evaluating the evidence provided and determining alignment with the school district or charter schools measurable student achievement and student success indicators and alignment with the Idaho framework for teaching evaluation standards. The reviewing administrator shall sign an affidavit stating the evidence meets the district and state standards for measurable student achievement and student success indicators and performance criteria. The local education agency shall report the equivalent performance criteria rating the certificated staff member received and indicate if any equivalent components were rated as unsatisfactory and the measurable student achievement or student success indicator used with verification that the majority of their students have met the measurable student achievement targets or student success indicators. Targets must be comparable to targets set for like groups of students at the hiring school. The state board of education or state department of education may request to review the evidence provided for determining proficiency and student achievement. ()

029. -- 041. (RESERVED)

042. Alternative Authorization.

Alternative authorization allows a local education agency with an area of need to request certification for a candidate

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

~~when a professional position cannot be filled with someone who has the correct certification in an area of need identified by the local education agency.~~ This authorization grants an interim certificate that allows individuals to serve as the ~~educator-teacher~~ of record while pursuing standard certification. ~~The educator of record is defined as the person who is primarily responsible for planning instruction, delivering instruction, assessing students formatively and summatively, and designating the final grade. Alternative authorization is valid for one (1) year and may be renewed for two (2) additional years with evidence of satisfactory progress toward standard certification must be provided each year.~~ Interim certification is valid for no more than three (3) years total. Individuals who ~~are hold a currently instructional certificated to teach but who are in need of an endorsement in another area~~ may obtain an additional endorsement through an alternative authorization – teacher to new endorsement ~~as described as prescribed~~ in Subsection 021.02 of these rules. ()

01. Alternative Authorization -- Teacher To New Certification. This alternative authorization allows a local education agency to request additional certification for a candidate who already holds a current and valid Idaho ~~instructional~~ certificate ~~when a professional position cannot be filled with someone who has the correct certification in a new certification area.~~ ()

a. Prior to application, ~~the~~ candidate must hold a baccalaureate degree or higher and a current and valid Idaho ~~instructional~~ certificate. The local education agency must attest to the candidate's ability to fill the position. ()

b. ~~A~~The candidate must participate in a state board- approved educator preparation program. ()

i. The candidate will work toward completion of a state board-approved educator preparation program. The candidate must complete a minimum of nine (9) semester credits annually to maintain eligibility for renewal; and ()

ii. The participating educator preparation program shall provide procedures to assess and credit equivalent knowledge, dispositions, and relevant life/work experiences. ()

02. Alternative Authorization -- Content Specialist. This alternative authorization allows a local education agency to request an instructional certificate for an individual who possesses distinct content knowledge and skills to teach in ~~an area of need identified by the local education agency~~ a content area. ()

a. Initial Qualifications. ()

i. A candidate must hold a baccalaureate degree or have completed all of the requirements of a baccalaureate degree except the student teaching portion; and ()

ii. Prior to entering the classroom, the local education agency shall ensure the candidate is qualified to teach in the content area ~~of identified need~~. The candidate shall meet or exceed the state qualifying score on the appropriate state board-approved content or pedagogy assessment, including demonstration of content knowledge through a combination of employment, experience, and education. ()

b. State Board Approved Educator~~ion~~ Preparation Program. ()

i. Prior to authorization, a consortium comprised of a state board-approved educator preparation program representative, a local education agency representative, and the candidate shall determine the preparation needed and develop a plan to meet the Idaho Standards for Initial Certification of Professional School Personnel. The educator preparation program shall provide procedures to assess and credit: equivalent knowledge, dispositions, and relevant life or /work experiences. The plan must include a state board-approved mentoring program. While teaching under the alternative authorization, the mentor shall provide a minimum of one (1) classroom observation per month, which will include feedback and reflection. The plan must include annual progress goals that must be met for annual renewal; ()

ii. The candidate must complete a minimum of nine (9) semester credit hours or its equivalent of ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

accelerated study in education pedagogy prior to the end of the first year of authorization. The number of required credits will be specified in the consortium developed plan; and ()

iii. At the time of authorization the candidate must enroll in and work toward completion of the plan. The candidate must complete a minimum of nine (9) semester credits annually to maintain eligibility for renewal. The candidate must complete the plan to receive a certificate of completion. ()

03. Alternative Authorization - Pupil Service Staff. This alternative authorization allows a local education agency to request ~~endorsement/certification~~ and endorsement for a candidate when a position requiring the Pupil Service Staff Certificate cannot be filled ~~with someone who has the school counselor or school social worker endorsement.~~ ()

a. Initial Qualifications. The applicant must complete the following: ()

i. Prior to application, a candidate must hold a baccalaureate degree or higher; and ()

ii. The local education agency must attest to the ability of the candidate to fill the position. ()

b. Educator Preparation Program. ()

i. At the time of authorization the candidate must enroll in and work toward completion of a state board approved educator preparation program through a participating college/university and the local education agency. The educator preparation program must include annual progress goals. ()

ii. The candidate must complete a minimum of nine (9) semester credits annually to maintain eligibility for renewal. ()

iii. The participating educator preparation program will provide procedures to assess and credit equivalent knowledge, dispositions, and relevant life/work experiences. ()

iv. The candidate must meet all requirements for the endorsement/certificate as provided herein. ()

04. Alternative Authorization Renewal. Annual renewal will be based on the school year and satisfactory progress toward completion of the applicable alternate authorization requirements. ()

043. -- 059. (RESERVED)

060. Application Procedures / Professional Development.

To obtain a new, renew, or reinstate an Idaho Educator Credential, the applicant must submit an application on a form supplied by the State Department of Education or the Division of Career Technical Education as applicable to the type of certificate. All applications for new, renewed, or reinstated occupational specialist certificates must be submitted to the Division of Career Technical Education. The following requirements must be met to renew or reinstate an Idaho Educator Credential. ()

01. State Board of Education Requirements for Professional Development. All certificated personnel must complete at least six (6) semester credit hours or equivalent professional development within the five (5) year validity period of the certificate being renewed. ()

02. Credit. Graduate or undergraduate credit will be accepted for renewal. Credit must be transcribed and completed through a college or university accredited by an entity recognized by the state board of education.

a. At least three (3) semester credits shall be taken for postsecondary credit and verified by official or unofficial transcript. Individuals found to have intentionally altered transcripts used for verification, who would have

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

not otherwise met this renewal requirement, will be investigated for violations of the Code of Ethics for Idaho Professional Educators. Any such violations may result in disciplinary action.

~~a.c.~~ Credits taken for ~~recertification~~certificate renewal must be ~~educationally~~ related to the individualized professional learning plan or ~~related to~~ the professional practice of the applicant. ()

i. Credits must be specifically tied to content areas and/or an area of any other endorsement; or ()

ii. Credits must be specific to pedagogical best practices or for administrative/teacher leadership; or ()

iii. Credits must be tied to a specific area of need designated by local education agency administration. ()

iv. Credits must be taken during the validity period of the certificate. ()

~~b. Graduate or undergraduate credit will be accepted for recertification. Credit must be transcribed and completed through a college or university accredited by an entity recognized by the State Board of Education. For pupil service staff, continuing education units completed and applied to the renewal of an occupational license issued by the appropriate Idaho state licensing board will be accepted for recertification. The continuing education units must be recognized by the appropriate Idaho state licensing board.~~ ()

~~c. Credits and continuing education units must be taken during the validity period of the certificate.~~ ()

d. All requests for equivalent in-service training to apply toward ~~recertification~~renewal, except occupational specialist certificates, must be ~~made through the State Department of Education upon recommendation of the board of trustees consistent with the State Department of Education guidelines~~approved by the local education agency. Individuals holding Occupational Specialist Certificates must ~~be made~~make requests through the Division of Career Technical Education. Applicants must receive ~~prior~~ approval ~~of for~~ in-service training and course work prior to applying for renewal. All in-service training must be aligned with the ~~individual's~~applicant's individualized professional learning plan or related to professional practice. Fifteen (15) contact hours are equivalent to one (1) semester credit. ()

~~e. At least fifteen (15) hours of formal instruction must be given for each hour of in-service credit granted. Pupil service staff certificate holders who hold a professional license through the appropriate Idaho state licensing board may use renewal of their professional license toward the renewal of their pupil service staff certificate in lieu of the requirements herein.~~ ()

f. Renewal~~Recertification~~ credits may not be carried over from one (1) ~~recertification~~renewal period to the next. ()

03. Professional Development Plans. Local education agencies will have professional development plans.

~~g. An appeals process, developed by the State Department of Education in conjunction with the Professional Standards Commission or the Division of Career Technical Education, as applicable to the certificate type, shall be available to applicants whose credits submitted for recertification, in part or as a whole, are rejected for any reason if such denial prevents an applicant from renewing an Idaho certificate. An applicant whose credits submitted for recertification are rejected, in part or as a whole, within six (6) months of the expiration of the applicant's current certification shall be granted an automatic appeal and a temporary certification extension during the appeal or for one (1) year, whichever is greater.~~ ()

~~02. State Board of Education Professional Development Requirements.~~ ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

- ~~a. Local education agencies will have professional development plans. ()~~
- ~~b. All certificated personnel will be required to complete at least six (6) semester credits or the equivalent within the five (5) year period of validity of the certificate being renewed. ()~~
- ~~c. At least three (3) semester credits will be taken for university or college credit. Verification may be by official or unofficial transcript. Individuals found to have intentionally altered transcripts used for verification, who would have not otherwise met this renewal requirement, will be investigated for violations of the Code of Ethics for Idaho Professional Educators. Any such violations may result in disciplinary action. ()~~
- ~~d. Pupil Service Staff Certificate holders who hold a professional license through the appropriate Idaho state licensing board may use continuing education units applied toward the renewal of their professional license toward the renewal of the Pupil Service Staff Certificate. Fifteen (15) contact hours are equivalent to one (1) semester credit. ()~~

061. -- 075. (RESERVED)

076. Code Of Ethics For Idaho Professional Educators (Sections 33-1208 And 33-1209, Idaho Code).

Believing in the worth and dignity of each human being, the professional educator recognizes the supreme importance of pursuing truth, striving toward excellence, nurturing democratic citizenship and safeguarding the freedom to learn and to teach while guaranteeing equal educational opportunity for all. The professional educator accepts the responsibility to practice the profession according to the highest ethical principles. The Code of Ethics for Idaho Professional Educators symbolizes the commitment of all Idaho educators and provides principles by which to judge conduct. ()

01. Aspirations and Commitments. ()

a. The professional educator aspires to stimulate the spirit of inquiry in students and to provide opportunities in the school setting that will help them acquire viable knowledge, skills, and understanding that will meet their needs now and in the future. ()

b. The professional educator provides an environment that is safe to the cognitive, physical and psychological well-being of students and provides opportunities for each student to move toward the realization of his goals and potential as an effective citizen. ()

c. The professional educator, recognizing that students need role models, will act, speak and teach in such a manner as to exemplify nondiscriminatory behavior and encourage respect for other cultures and beliefs. ()

d. The professional educator is committed to the public good and will help preserve and promote the principles of democracy. He will provide input to the local school board to assist in the board's mission of developing and implementing sound educational policy, while promoting a climate in which the exercise of professional judgment is encouraged. ()

e. The professional educator believes the quality of services rendered by the education profession directly influences the nation and its citizens. He strives, therefore, to establish and maintain the highest set of professional principles of behavior, to improve educational practice, and to achieve conditions that attract highly qualified persons to the profession. ()

f. The professional educator regards the employment agreement as a pledge to be executed in a manner consistent with the highest ideals of professional service. He believes that sound professional personal relationships with colleagues, governing boards, and community members are built upon integrity, dignity, and mutual respect. The professional educator encourages the practice of the profession only by qualified persons. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

02. Principle I - Professional Conduct. A professional educator abides by all federal, state, and local education laws and statutes. Unethical conduct shall include the conviction of any felony or misdemeanor offense set forth in Section 33-1208, Idaho Code. ()

03. Principle II - Educator/Student Relationship. A professional educator maintains a professional relationship with all students, both inside and outside the physical and virtual classroom. Unethical conduct includes, but is not limited to: ()

- a.** Committing any act of child abuse, including physical or emotional abuse; ()
- b.** Committing any act of cruelty to children or any act of child endangerment; ()
- c.** Committing or soliciting any sexual act from any minor or any student regardless of age; ()
- d.** Committing any act of harassment as defined by local education agency policy; ()
- e.** Soliciting, encouraging, or consummating a romantic relationship (whether written, verbal, virtual, or physical) with a student, regardless of age; ()
- f.** Soliciting or encouraging any form of personal relationship with a student that a reasonable educator would view as undermining the professional boundaries necessary to sustain an effective educator-student relationship; ()
- g.** Using inappropriate language including, but not limited to, swearing and improper sexual comments (e.g., sexual innuendos or sexual idiomatic phrases); ()
- h.** Taking or possessing images (digital, photographic, or video) of students of a harassing, confidential, or sexual nature; ()
- i.** Inappropriate contact with any minor or any student regardless of age using electronic or social media; ()
- j.** Furnishing alcohol or illegal or unauthorized drugs to any student or allowing or encouraging a student to consume alcohol or unauthorized drugs except in a medical emergency; ()
- k.** Conduct that is detrimental to the health or welfare of students; and ()
- l.** Deliberately falsifying information presented to students. ()

04. Principle III - Alcohol and Drugs Use or Possession. A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice. Unethical conduct includes, but is not limited to: ()

- a.** Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming illegal or unauthorized drugs; ()
- b.** Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming alcohol; ()
- c.** Inappropriate or illegal use of prescription medications on school premises or at any school-sponsored events, home or away; ()
- d.** Inappropriate or illegal use of drugs or alcohol that impairs the individual's ability to function; and ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

- e. Possession of an illegal drug as defined in Chapter 27, Idaho Code, Uniform Controlled Substances.
()

05. Principle IV - Professional Integrity. A professional educator exemplifies honesty and integrity in the course of professional practice. Unethical conduct includes, but is not limited to: ()

- a. Fraudulently altering or preparing materials for licensure or employment; ()
- b. Falsifying or deliberately misrepresenting professional qualifications, degrees, academic awards, and related employment history when applying for employment or licensure; ()
- c. Failure to notify the state at the time of application for licensure of past revocations or suspensions of a certificate or license from another state; ()
- d. Failure to notify the state at the time of application for licensure of past criminal convictions of any crime violating the statutes or rules governing teacher certification; ()
- e. Falsifying, deliberately misrepresenting, or deliberately omitting information regarding the evaluation of students or personnel, including improper administration of any standardized tests (changing test answers; copying or teaching identified test items; unauthorized reading of the test to students, etc.); ()
- f. Falsifying, deliberately misrepresenting, or deliberately omitting reasons for absences or leaves; ()
- g. Falsifying, deliberately misrepresenting, or deliberately omitting information submitted in the course of an official inquiry or investigation; ()
- h. Falsifying, deliberately misrepresenting, or deliberately omitting material information on an official evaluation of colleagues; and ()
- i. Failure to notify the state of any criminal conviction of a crime violating the statutes and/or rules governing teacher certification. ()

06. Principle V - Funds and Property. A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes, but is not limited to: ()

- a. Misuse, or unauthorized use, of public or school-related funds or property; ()
- b. Failure to account for school funds collected from students, parents, patrons, or other donors from all sources, including online donation platforms; ()
- c. Submission of fraudulent requests for reimbursement of expenses or for pay; ()
- d. Co-mingling of public or school-related funds in personal bank account(s); ()
- e. Use of school property for private financial gain; ()
- f. Use of school computers to deliberately view or print pornography; and, ()
- g. Deliberate use of poor budgeting or accounting practices. ()

07. Principle VI - Compensation. A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

compensation. Unethical conduct includes, but is not limited to: ()

a. Unauthorized solicitation of students or parents of students to purchase equipment, supplies, or services from the educator who will directly benefit; ()

b. Acceptance of gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest; ()

c. Tutoring students assigned to the educator for remuneration unless approved by the local board of education; and, ()

d. Soliciting, accepting, or receiving a financial benefit greater than fifty dollars (\$50) as defined in Section 18-1359(b), Idaho Code. ()

e. Keeping for oneself donations, whether money or items, that were solicited or accepted for the benefit of a student, class, classroom, or school. ()

08. Principle VII - Confidentiality. A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law. Unethical conduct includes, but is not limited to: ()

a. Sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status or income, and assessment or testing results with inappropriate individuals or entities; and ()

b. Sharing of confidential information about colleagues obtained through employment practices with inappropriate individuals or entities. ()

09. Principle VIII - Breach of Contract or Abandonment of Employment. A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes, but is not limited to: ()

a. Abandoning any contract for professional services without the prior written release from the contract by the employing local education agency; ()

b. Willfully refusing to perform the services required by a contract; and, ()

c. Abandonment of classroom or failure to provide appropriate supervision of students at school or school-sponsored activities to ensure the safety and well-being of students. ()

10. Principle IX - Duty to Report. A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators and submits reports as required by Idaho Code. Unethical conduct includes, but is not limited to: ()

a. Failure to comply with Section 33-1208A, Idaho Code, (reporting requirements and immunity); ()

b. Failure to comply with Section 16-1605, Idaho Code, (reporting of child abuse, abandonment or neglect); ()

c. Failure to comply with Section 33-512B, Idaho Code, (suicidal tendencies and duty to warn); and ()

d. Having knowledge of a violation of the Code of Ethics for Idaho Professional Educators and failing to report the violation to an appropriate education official. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

11. Principle X - Professionalism. A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities while following generally recognized professional principles. Unethical conduct includes, but is not limited to: ()

a. Any conduct that seriously impairs the Certificate holder's ability to teach or perform his professional duties; ()

b. Committing any act of harassment toward a colleague; ()

c. Failure to cooperate with the Professional Standards Commission in inquiries, investigations, or hearings; ()

d. Using institutional privileges for the promotion of political candidates or for political activities, except for local, state or national education association elections; ()

e. Willfully interfering with the free participation of colleagues in professional associations; and ()

f. Taking, possessing, or sharing images (digital, photographic, or video) of colleagues of a harassing, confidential, or sexual nature. ()

077. Definitions For Use With The Code Of Ethics For Idaho Professional Educators (Sections 33-1208 And 33-1209, Idaho Code).

01. Administrative Complaint. A document outlining the specific, purported violations of Section 33-1208, Idaho Code, or the Code of Ethics for Idaho Professional Educators. ()

02. Allegation. A purported violation of the Code of Ethics for Idaho Professional Educators or Idaho Code. ()

03. Certificate Denial. The refusal of the state to grant a certificate. ()

04. Certificate Suspension. A time-certain invalidation of any Idaho certificate. ()

05. Conditioned Certificate. Stated Certificate conditions as determined by the Professional Standards Commission (Section 33-1209(02), Idaho Code). ()

06. Educator. A person who held, holds, or applies for an Idaho Certificate (Section 33-1201, Idaho Code). ()

07. Education Official. An individual identified by local school board policy, including, but not limited to, a superintendent, principal, assistant principal, or school resource officer (SRO). ()

08. Executive Committee. A decision-making body comprised of members of the Professional Standards Commission, including the chair and/or vice-chair of the Commission. A prime duty of the Committee is to review alleged violations of the Code of Ethics for Idaho Professional Educators to determine probable cause and recommend possible disciplinary action. ()

09. Hearing. A formal review proceeding that ensures the respondent due process. The request for a hearing is initiated by the respondent and is conducted by a panel of peers. ()

10. Hearing Panel. A minimum of three (3) educators appointed by the chair of the Professional

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

Standards Commission and charged with the responsibility to make a final determination regarding the charges specifically defined in the Administrative Complaint. ()

11. Investigation. The process of gathering factual information concerning a valid, written complaint in preparation for review by the Professional Standards Commission Executive Committee, or following review by the Executive Committee at the request of the deputy attorney general assigned to the Professional Standards Commission. ()

12. No Probable Cause. A determination by the Executive Committee that there is not sufficient evidence to take action against an educator's certificate. ()

13. Principles. Guiding behaviors that reflect what is expected of professional educators in the state of Idaho while performing duties as educators in both the private and public sectors. ()

14. Probable Cause. A determination by the Executive Committee that sufficient evidence exists to issue an administrative complaint. ()

15. Reprimand. A written letter admonishing the Certificate holder for their conduct. ()

16. Respondent. The legal term for the professional educator who is under investigation for a purported violation of the Code of Ethics for Idaho Professional Educators. ()

17. Revocation. The invalidation of any Certificate held by the educator. ()

18. Stipulated Agreement. A written agreement between the respondent and the Professional Standards Commission to resolve matters arising from an allegation of unethical conduct following a complaint or an investigation. The stipulated agreement is binding to both parties and is enforceable under its own terms. ()

078. -- 099. (RESERVED)

100. Official Vehicle For Approving Educator Preparation Programs.

Section 33-114, Idaho Code

01. The Official Vehicle for the Approval of Traditional Educator Preparation Programs. ~~The official vehicle for the approval of Traditional educator preparation programs will be the Council for the Accreditation of Educator Preparation (CAEP) accredited by an accrediting body that approves educator preparation programs and is recognized by the state board of education standards and meets the approved Idaho Standards for the Initial Certification of Professional School Personnel. The Idaho Standards are based upon the accepted national standards for educator preparation and include state specific, core teaching requirements. The State Department of Education will transmit to the head of each Idaho college or Department of Education a copy of all revisions to the Idaho Standards for the Initial Certification of Professional School Personnel. Such revisions will take effect and must be implemented within a period not to exceed two (2) years after notification of such revision. The Idaho Standards for the Initial Certification of Professional School Personnel will be posted on the state board of education and state department of education websites. All standards will include an implementation date.~~ ()

02. Non-Traditional Educator Preparation Program. ~~The State Board of Education must approve all non-traditional route to teacher certification programs. The programs must include, at a minimum, the following components: To be considered for approval each non-traditional educator preparation program must include the following components:~~ ()

~~a. Pre assessment of teaching and content knowledge;~~ ()

~~b. An academic advisor with knowledge of the prescribed instruction area;~~ ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

- c. ~~Exams~~ Assessment of pedagogy and content knowledge; and ()
- d. ~~Be aligned~~ Alignment to the Idaho Standards for the Initial Certification of Professional School Personnel. ()

03. Reference Availability. The Idaho Standards for the Initial Certification of Professional School Personnel, ~~incorporated by reference in Subsection 004.01,~~ are available for inspection on the Office of the State Board of Education's website at www.boardofed.idaho.gov. ()

04. Continuing Approval. Approved educator preparation programs will be reviewed for continued approval on a timeline and in a format established by the state board of education. Program reviews will take into consideration the instructional methodology used by the approved program. ()

~~a. The state of Idaho will follow the Council for Accreditation of Educator Preparation (CAEP) standards model by which institutions shall pursue continuing approval through a full program review every seven (7) years. The full program review shall be based upon the Idaho Standards for Initial Certification of Professional School Personnel.~~ ()

~~b. The state of Idaho will additionally conduct focused reviews of state specific, core teaching requirements in the interim, not to exceed every third year following the full program review.~~ ()

~~c. All approved non-traditional educator preparation programs will be reviewed for continued approval on the same schedule as traditional educator preparation programs. Reviews will include determination of continued alignment with the approved Idaho Standards for the Initial Certification of Professional School Personnel and effectiveness of program completers.~~ ()

05. Payment Responsibilities for Educator Preparation Program Reviews. The Professional Standards Commission is responsible for Idaho educator preparation program reviews, including assigning responsibility for paying for program reviews. To implement the reviews, it is necessary that: ()

a. The Professional Standards Commission pay for all state review team expenses for on-site teacher preparation reviews from its budget. ()

b. Requesting institutions pay for all other expenses related to on-site educator preparation program reviews, including ~~the~~ all standards review. ()

101. -- 109. (RESERVED)

110. Personnel Standards.

The State Board of Education supports the efforts made by the Idaho Legislature to lower class size. Significant progress has been made in grades one through three (1-3). The State Board of Education believes that class sizes in grades four through six (4-6) are too high. Districts are encouraged to lower all class sizes as funds become available. Each district will develop personnel policies and procedures to implement the educational program of the district. The policies and procedures will address representation in each of the following personnel areas, as appropriate to student enrollment and the needs of each attendance area. Districts should strive to achieve ratios consistent with state class size ratio goals.

TEACHERS	STATE GOALS
Kindergarten	20
Grades 1, 2, 3	20

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

Grades 4, 5, 6	26
Middle School/Jr. High	160 teacher load
High School	160 teacher load
Alternative School (7-12)	18 average daily class load

INSTRUCTIONAL PERSONNEL

Schools are encouraged to explore technological options that provide for credible alternative delivery systems. Present and emerging information transmission technology may provide for greater teacher/pupil class size ratios.

PUPIL PERSONNEL	
(Certificated School Counselors, Social Workers, Psychologists)	400:1 * student/district average
Secondary Media Generalist and Assistants	500:1 * student/district average
Elementary Media Generalist or Assistants	500:1 * student/district average
Building Administrative Personnel	Not to exceed 500:1 * district average

* The stated pupil to personnel ratio is the goal; each school district will assign personnel as appropriate to student enrollment and the needs of each attendance area.

Classroom Assistants - State Goal: will be provided where the student/teacher ratio is deemed excessive by the district or where other student special needs exist (e.g., limited English proficiency or special education).

Classified Personnel - State Goal: will be employed in each building to support the needs of the staff, students, and community. ()

111. Bullying, Harassment And Intimidation Prevention And Response.

01. Dissemination of Information. School districts and charter schools shall make reasonable efforts to ensure that information on harassment, intimidation and bullying of students is disseminated annually to all school personnel, parents and students. ()

02. Professional Development. The content of ongoing professional development for school staff related to bullying, harassment and intimidation shall include: ()

- a.** School philosophy regarding school climate and student behavior expectations; ()
- b.** Definitions of bullying, harassment, and intimidation; ()
- c.** School prevention strategies or programs including the identification of materials to be distributed annually to students and parents; ()
- d.** Expectations of staff intervention for bullying, harassment, and intimidation; ()
- e.** School process for responding to bullying, harassment, and intimidation including the reporting

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

process for students and staff, investigation protocol, the involvement of law enforcement, related student support services and parental involvement; and ()

f. Other topics as determined appropriate by the school district or charter school. ()

03. Graduated Consequences. Graduated consequences for a student who commits acts of bullying, harassment, and intimidation shall include a series of measures proportional to the act(s) committed and appropriate to the severity of the violation as determined by the school board of trustees, school administrators, or designated personnel depending upon the level of discipline. Graduated consequences should be in accordance with the nature of the behavior, the developmental age of the student, and the student's history of problem behaviors and performance. ()

a. Graduated consequences may include, but are not limited to: ()

i. Meeting with the school counselor; ()

ii. Meeting with the school principal and student's parents or guardian; ()

iii. Detention, suspension or special programs; and ()

iv. Expulsion. ()

b. The graduated consequences are not intended to prevent or prohibit the referral of a student who commits acts of harassment, intimidation or bullying to available outside counseling services or to law enforcement, or both, pursuant to Section 18-917A, Idaho Code. ()

c. Students with disabilities may be afforded additional protections under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act; school districts and charter schools shall comply with applicable state and federal law when disciplining students with individualized education programs (IEPs) or 504 plans for committing acts of bullying, harassment, and intimidation. ()

04. Intervention. School district and charter school employees are authorized and expected to intervene or facilitate intervention on behalf of students facing harassment, intimidation, and bullying. Intervention shall be reasonably calculated to: ()

a. Correct the problem behavior; ()

b. Prevent another occurrence of the problem; ()

c. Protect and provide support for the victim of the act; and ()

d. Take corrective action for documented systemic problems related to harassment, intimidation, or bullying. ()

05. Reporting. Annual reporting will occur at the end of the school year through an aggregate report identifying the total number of bullying incidents by school districts and charter schools, grade level, gender, and repeat offenders. The State Department of Education shall provide school districts and charter schools with the guidelines and forms for reporting. ()

112. Suicide Prevention In Schools.

As schools offer annual professional development for school staff related to preventing, intervening, and responding to suicide, the content shall include: ()

01. Prevention. School philosophy regarding school climate and the promotion of protective factors; data on suicide for the region or state, or both; risk and protective factors for students; suicide myths and facts; and

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

how to develop community partnerships. ()

02. Intervention. How to utilize safe and appropriate language and messaging when addressing students; warning signs of suicide ideation for students; local and school-based protocols for aiding a suicidal individual; local protocols for seeking help for self and students; identification of appropriate mental health services and community resources for referring students and their families; information about state statutes on responsibility, liability, and duty to warn; confidentiality issues; and the need to ask others directly if they are suicidal. ()

03. Postvention. Evidence-based protocol for responding to a student/staff suicide. ()

113. -- 119. (RESERVED)

120. Local District Evaluation Policy -- Instructional Staff And Pupil Service Staff Certificate Holders.

Each school district board of trustees will develop and adopt policies for certified staff performance evaluation using multiple measures in which criteria and procedures for the evaluation of certificated personnel are research based. For pupil service staff, those standards shall be aligned with the profession's national standards. For instructional staff, those standards shall be aligned to the state evaluation framework, Charlotte Danielson Framework for Teaching Second Edition, domains and components specified in Subsection 120.01 of this rule, and must be determined based on professional practice. For all certification personnel, domain or component ratings, or both, may be weighted based on the individual's individualized professional learning plan. If weighting the summative evaluation toward only two or three of the domains, the evaluation must indicate how this aligns with the individualized professional learning plan. The summative evaluation rating must be based on a combination of professional practice and student achievement as specified in Subsections 120.02 and 120.03. The process of developing criteria and procedures for certificated personnel evaluation will allow opportunities for input from those affected by the evaluation; i.e., trustees, administrators, teachers, and parents. The evaluation policy will be a matter of public record and communicated to the certificated personnel for whom it is written. ()

01. Standards. Each district evaluation model shall be aligned to state evaluation framework minimum standards that are based on Charlotte Danielson's Framework for Teaching Second Edition domains and components of instruction. Those domains and components include: ()

a. Domain 1 - Planning and Preparation: ()

i. Demonstrating Knowledge of Content and Pedagogy; ()

ii. Demonstrating Knowledge of Students; ()

iii. Setting Instructional Outcomes; ()

iv. Demonstrating Knowledge of Resources; ()

v. Designing Coherent Instruction; and ()

vi. Designing Student Assessments. ()

b. Domain 2 - The Classroom Environment: ()

i. Creating an Environment of Respect and Rapport; ()

ii. Establishing a Culture for Learning; ()

iii. Managing Classroom Procedures; ()

iv. Managing Student Behavior; and ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

- | | | |
|------|---|--------|
| v. | Organizing Physical Space. | () |
| c. | Domain 3 - Instruction and Use of Assessment: | () |
| i. | Communicating with Students; | () |
| ii. | Using Questioning and Discussion Techniques; | () |
| iii. | Engaging Students in Learning; | () |
| iv. | Using Assessment in Instruction; and | () |
| v. | Demonstrating Flexibility and Responsiveness. | () |
| d. | Domain 4 - Professional Responsibilities: | () |
| i. | Reflecting on Teaching; | () |
| ii. | Maintaining Accurate Records; | () |
| iii. | Communicating with Families; | () |
| iv. | Participating in a Professional Community; | () |
| v. | Growing and Developing Professionally; and | () |
| vi. | Showing Professionalism. | () |

02. Professional Practice. All certificated instructional employees must receive an evaluation in which at least a majority of the evaluation ratings must be based on Professional Practice. All measures included within the Professional Practice portion of the evaluation must be aligned to the [Charlotte Danielson Framework for Teaching Second Edition](#) state evaluation framework domains and components. Professional Practice shall include a minimum of two (2) documented observations annually, with at least one (1) observation being completed by January 1 of each year. In situations where certificated personnel are unavailable for two (2) documented classroom observations, due to situations such as long-term illness, late year hire, etc., one (1) documented classroom observation is acceptable. At least one (1) documented summative evaluation must include a rating for all components within each domain or indicate how the evaluation is weighted toward specific domains and aligned to the individualized professional learning plan of the applicable professional standards used for evaluation of certified personnel. In addition to the domains and components of the state evaluation framework, ~~D~~district evaluation models shall also include at least one (1) of the following as a measure to inform the Professional Practice portion of each certificated instructional employee evaluations: ()

- | | | |
|----|------------------------|--------|
| a. | Parent/guardian input; | () |
| b. | Student input; and/or | () |
| c. | Portfolios. | () |

03. Student Achievement. Instructional staff summative evaluation ratings must in part be based on measurable student achievement, as defined in Section 33-1001, Idaho Code, as applicable to the subjects and grade ranges taught by the instructional staff. All other certificated staff evaluations must include measurable student achievement or student success indicators, as defined in Section 33-1001, Idaho Code, as applicable to the position. This portion of the evaluation may be calculated using current and/or the immediate past year's data and may use one (1) year or both years' data. Growth in student achievement may be considered as an optional measure for all other school based and district based staff, as determined by the local board of trustees. ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

04. Participants. Each district evaluation policy will include provisions for evaluating all certificated employees identified in Section 33-1001, Idaho Code. Evaluations shall be differentiated for certificated non-instructional employees and Pupil Service Staff Certificate holders in a way that aligns with the [Charlotte Danielson Framework for Teaching Second Edition state evaluation framework](#) to the extent possible and aligned to the pupil service staff's applicable national standards. Policies for evaluating certificated employees should identify the differences, if any, in the conduct of evaluations for nonrenewable contract personnel and renewable contract personnel. ()

05. Evaluation Policy – Content. Local school district policies will include, at a minimum, the following information: ()

a. Evaluation criteria -- statements of the criteria upon which certificated personnel will be evaluated and rated. ()

b. Evaluator -- identification of the individuals responsible for observing or evaluating certificated instructional staff and pupil service staff performance. The individuals assigned this responsibility shall have received training in conducting evaluations based on the statewide framework for evaluations within the immediate previous five (5) years of conducting any evaluations. ()

c. Communication of results -- the method by which certificated personnel are informed of the results of evaluation. ()

d. Personnel actions -- the action available to the school district as a result of the evaluation and the procedures for implementing these actions; e.g., job status change. Note: in the event the action taken as a result of evaluation is to not renew an individual's contract or to renew an individual's contract at a reduced rate, school districts should take proper steps to follow the procedures outlined in Sections 33-513 through 33-515, Idaho Code in order to assure the due process rights of all personnel. ()

e. Appeal -- the procedure available to the individual for appeal or rebuttal when disagreement exists regarding the results of certificated personnel evaluations. ()

f. Individualizing teacher evaluation rating system -- a plan for how evaluations will be used to identify proficiency and record growth over time and be used to develop individualized professional learning plans. Districts shall have an individualized teacher evaluation rating system with a minimum of three (3) ratings used to differentiate performance of teachers and Pupil Service Staff Certificate holders including: ()

i. Unsatisfactory being equal to "1"; ()

ii. Basic being equal to "2"; and ()

iii. Proficient being equal to "3". ()

iv. A fourth evaluation rating of Distinguished, being equal to "4," may be used in addition to the three (3) minimum ratings at the discretion of the school district or charter school. ()

g. A plan for including all stakeholders including, but not limited to, teachers, board members, administrators, and parents in the development and ongoing review of their teacher evaluation plan. ()

06. Evaluation Policy – Frequency of Evaluation. The evaluation policy shall include a provision for evaluating all certificated personnel on a fair and consistent basis. ()

07. Evaluation Policy - Personnel Records. Permanent records of each certificated personnel evaluation will be maintained in the employee's personnel file. All evaluation records will be kept confidential within the parameters identified in federal and state regulations regarding the right to privacy (Section 33-518, Idaho Code).

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

Local school districts shall report the ratings of individual certificated personnel evaluations to the State Department of Education annually for State and Federal reporting purposes. The State Department of Education shall ensure that the privacy of all certificated personnel is protected by not releasing statistical data of evaluation ratings in local school districts with fewer than five (5) teachers and by only reporting that information in the aggregate by local school district. ()

08. Evaluation System Approval. Each school district board of trustees will develop and adopt policies for teacher and Pupil Service Staff certificated performance evaluation in which criteria and procedures for the evaluation are research based and aligned with the ~~Charlotte Danielson Framework for Teaching Second Edition~~ state evaluation framework and national standards for pupil service staff as applicable. By July 1, 2014, an evaluation plan which incorporates all of the above elements shall be submitted to the State Department of Education for approval. Once approved, subsequent changes made in the evaluation system shall be resubmitted for approval. ()

121. Local District Evaluation Policy – School Administrator.

All school and school district administrators must receive an annual evaluation. Individuals serving in the role of superintendent or its equivalent shall be evaluated by the local board of trustees. Individuals serving in the capacity of a school district superintendent shall be evaluated based on the school district evaluation policy for superintendents. For principal and other school level administrator evaluations, each school district board of trustees will develop and adopt policies for performance evaluation using multiple measures in which criteria and procedures for the evaluation of administratively certificated personnel serving as school principal or other school level administrators are research based and aligned to the standards and requirements outlined in Subsections 121.01 through 121.07 of this rule. For Special Education Directors, standards aligned with the profession's national standards may replace those outlined in Subsection 121.01. The process of developing criteria and procedures for administrator evaluations will allow opportunities for input from those affected by the evaluation; i.e., trustees, administrators, teachers and parents. The evaluation policy will be a matter of public record and communicated to the principal for whom it is written. ()

01. Standards. Each district principal and school level administrator evaluation model shall be aligned to state minimum standards based on the Interstate School Leaders Licensure Consortium (ISLLC) standards and include proof of proficiency in conducting teacher evaluations using the state's framework for evaluations, the ~~Charlotte Danielson Framework for Teaching Second Edition~~ state evaluation framework. Proof of training in evaluating teacher performance shall be required of all individuals assigned the responsibility for observing or evaluating certificated personnel performance. Principal evaluation standards shall additionally address the following domains and components:

()

a. Domain 1: School Climate - An educational leader promotes the success of all students by advocating, nurturing and sustaining a school culture and instructional program conducive to student learning and staff professional development. An educational leader articulates and promotes high expectations for teaching and learning while responding to diverse community interest and needs. ()

i. School Culture - Principal establishes a safe, collaborative, and supportive culture ensuring all students are successfully prepared to meet the requirements for tomorrow's careers and life endeavors. ()

ii. Communication - Principal is proactive in communicating the vision and goals of the school or district, the plans for the future, and the successes and challenges to all stakeholders. ()

iii. Advocacy - Principal advocates for education, the district and school, teachers, parents, and students that engenders school support and involvement. ()

b. Domain 2: Collaborative Leadership - An educational leader promotes the success of all students by ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment. In collaboration with others, uses appropriate data to establish rigorous, concrete goals in the context of student achievement and instructional programs. The educational leader uses research and/or best practices in improving the education program. ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

- i. Shared Leadership - Principal fosters shared leadership that takes advantage of individual expertise, strengths, and talents, and cultivates professional growth. ()
- ii. Priority Management - Principal organizes time and delegates responsibilities to balance administrative/managerial, educational, and community leadership priorities. ()
- iii. Transparency - Principal seeks input from stakeholders and takes all perspectives into consideration when making decisions. ()
- iv. Leadership Renewal - Principal strives to continuously improve leadership skills through, professional development, self-reflection, and utilization of input from others. ()
- v. Accountability - Principal establishes high standards for professional, legal, ethical, and fiscal accountability for self and others. ()
- c. Domain 3: Instructional Leadership - An educational leader promotes the success of all students by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community. The educational leader provides leadership for major initiatives and change efforts and uses research and/or best practices in improving the education program. ()
- i. Innovation - Principal seeks and implements innovative and effective solutions that comply with general and special education law. ()
- ii. Instructional Vision - Principal insures that instruction is guided by a shared, research-based instructional vision that articulates what students do to effectively learn. ()
- iii. High Expectations - Principal sets high expectation for all students academically, behaviorally, and in all aspects of student well-being. ()
- iv. Continuous Improvement of Instruction - Principal has proof of proficiency in assessing teacher performance based upon the [Charlotte-Danielson Framework for Teaching Second Edition](#) [state evaluation framework](#). Aligns resources, policies, and procedures toward continuous improvement of instructional practice guided by the instructional vision. ()
- v. Evaluation - Principal uses teacher/principal evaluation and other formative feedback mechanisms to continuously improve teacher/principal effectiveness. ()
- vi. Recruitment and Retention -Principal recruits and maintains a high quality staff. ()
- 02. Professional Practice.** All principals must receive an evaluation in which a majority of the summative evaluation results are based on Professional Practice. All measures included within the Professional Practice portion of the evaluation must be aligned to the Domains and Components listed in Subsection 121.01.a. through 121.01.c. of this rule. As a measure to inform the Professional Practice portion of each evaluation, district evaluation models shall also include at least one (1) of the following: ()
- a. Parent/guardian input; ()
- b. Teacher input; ()
- c. Student input; and/or ()
- d. Portfolios. ()
- 03. Student Achievement.** All administrators must receive an evaluation in which part of the summative evaluation results are based in part on objective measures of growth in measurable student achievement,

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

as defined in Section 33-1001, Idaho Code. This portion of the evaluation may be calculated using current and/or the immediate past year's data and may use one (1) or both years data. Growth in student achievement may be considered as an optional measure for all other school based and district based administrators, as determined by the local board of trustees. ()

04. Evaluation Policy - Content. For evaluations conducted on or after July 1, 2014, local school district policies will include, at a minimum, the following information: ()

- a. Evaluation criteria -- statements of the criteria upon which administrators will be evaluated. ()
- b. Evaluator -- identification of the individuals responsible for observing or evaluating school level administrator performance. The individuals assigned this responsibility shall have received training in administrator evaluations based on the statewide framework for evaluations. ()
- c. Communication of results -- the method by which principals are informed of the results of evaluation. ()
- d. Personnel actions -- the action, available to the school district as a result of the evaluation, and the procedures for implementing these actions; e.g., job status change. ()
- e. Appeal -- the procedure available to the individual for appeal or rebuttal when disagreement exists regarding the results of an evaluations. ()
- f. Individualizing principal evaluation rating system -- a plan for how evaluations will be used to identify proficiency and record growth over time. Districts shall have an individualized principal evaluation rating system with a minimum of three ratings used to differentiate performance of principals including: ()
 - i. Unsatisfactory being equal to "1"; ()
 - ii. Basic being equal to "2"; and ()
 - iii. Proficient being equal to "3". ()
 - iv. A fourth evaluation rating of Distinguished, being equal to "4," may be used in addition to the three (3) minimum ratings at the discretion of the school district or charter school. ()
- g. A plan for including stakeholders including, but not limited to, teachers, board members, administrators, and parents in the development and ongoing review of their principal evaluation plan. ()

05. Evaluation Policy - Frequency of Evaluation. The evaluation policy should include a provision for evaluating all administrators on a fair and consistent basis. All administrators shall be evaluated at least once annually no later than June 1 of each year. ()

06. Evaluation Policy - Personnel Records. Permanent records of each principal evaluation will be maintained in the employee's personnel file. All evaluation records will be kept confidential within the parameters identified in federal and state regulations regarding the right to privacy (Section 33-518, Idaho Code). Local school districts shall report the ratings of individual certificated personnel evaluations to the State Department of Education annually for State and Federal reporting purposes. The State Department of Education shall ensure that the privacy of all certificated personnel is protected by not releasing statistical data of evaluation ratings in local school districts in accordance with the approved policies of the Idaho State Board of Education Data Management Council. ()

07. Evaluation System Approval. Each school district board of trustees will develop and adopt policies for principal performance evaluation in which criteria and procedures for the evaluation are research based and aligned with state standards. By July 1, 2014, an evaluation plan which incorporates all of the above elements shall be

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

submitted to the State Department of Education for approval. Once approved, subsequent changes made in the evaluation system shall be resubmitted for approval. ()

122. -- 129. (RESERVED)

130. School Facilities.

Each school facility consists of the site, buildings, equipment, services, and is a critical factor in carrying out educational programs. The focus of concern in each school facility is the provision of a variety of instructional activities and programs, with the health and safety of all persons essential. ()

01. Buildings. All school buildings, including portable or temporary buildings, will be designed and built in conformance with the current edition of the codes specified in the Idaho Building Code Act, Section 39-4109, Idaho Code, including, the National Electrical Code, Uniform Plumbing Code, and Idaho General Safety and Health Standards. All school buildings, including portable or temporary buildings, will meet other more stringent requirements established in applicable local building codes. ()

02. Inspection of Buildings. All school buildings, including portable or temporary buildings, will be inspected as provided in Section 39-4130, Idaho Code, for compliance with applicable codes. Following this inspection, the school district will, within twenty (20) days, (1) correct any deficiencies specified in the inspection report or (2), if the corrective action involves structural modification, file a written plan with the inspecting agency for correction by the beginning of the following school year. ()

131. -- 139. (RESERVED)

140. Accreditation.

01. Requirement. ~~All public secondary schools, serving any grade(s) 9-12, will be accredited pursuant to Section 33-119, Idaho Code.~~ Accreditation is voluntary for elementary schools, grades K-8, and alternative schools not identified in Subsection 140.02.a. through 140.012.e. of this rule. ()

02. Alternative Schools. An alternative school serving any grade(s) 9-12 that meets any three (3) of the criteria in Subsections 140.02.a. through 140.02.e. of this rule, shall be required to be accredited. An alternative school that does not meet three (3) of the following criteria in Subsections 140.02.a. through 140.02.e. is considered as an alternative program by the district board of trustees and shall be included in the accreditation process and reporting of another secondary school within the district for the purposes of meeting the intent of this rule. ()

a. School has an Average Daily Attendance greater than or equal to 36 students based on previous year's enrollment; ()

b. School enrolls any students full-time for the school year once eligibility determination is made as opposed to schools that enroll students for "make-up" or short periods of time; ()

c. School offers an instructional model that is different than that provided by the traditional high school within the district for a majority of the coursework, including but not limited to online/virtual curriculum; ()

d. School administers diplomas that come from that alternative school as opposed to students receiving a diploma from the traditional high school within the school district; or ()

e. School receives its own accountability rating for federal reporting purposes. ()

03. Standards. Schools will meet the accreditation standards of ~~the Northwest Accreditation Commission, a division of AdvancED~~ an accrediting body recognized by the state board of education. ()

04. Residential Schools. In addition to the academic standards, residential schools must meet the

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

applicable health and safety standards established pursuant to Section 39-1210, Idaho Code, to be considered fully accredited by the State Board of Education. ()

05. Reporting. An annual accreditation report will be submitted to the State Board of Education identifying each accredited school and school district in the state and the status of their accreditation. ()

141. -- 149. (RESERVED)

150. Transportation.

Minimum School Bus Construction Standards. All new school bus chassis and bodies must meet or exceed Standards for Idaho School Buses and Operations as incorporated in Section 004 of these rules and as authorized in Section 33-1511, Idaho Code. ()

151. -- 159. (RESERVED)

160. Maintenance Standards And Inspections.

01. Safety. School buses will be maintained in a safe operating condition at all times. Certain equipment or parts of a school bus that are critical to its safe operation must be maintained at prescribed standards. When routine maintenance checks reveal any unsafe condition identified in the Standards for Idaho School Buses and Operations as incorporated in Section 004 of these rules the school district will eliminate the deficiency before returning the vehicle to service. ()

02. Annual Inspection. After completion of the annual school bus inspection, and if the school bus is approved for operation, an annual inspection sticker, indicating the year and month of inspection, will be placed in the lower, right-hand corner of the right side front windshield. The date indicated on the inspection sticker shall correlate to State Department of Education's annual school bus inspection certification report signed by pupil transportation maintenance personnel and countersigned by the district superintendent. (Section 33-1506, Idaho Code) ()

03. Sixty-Day Inspections. At intervals of not more than sixty (60) calendar days, excluding documented out-of-use periods in excess of thirty (30) days, the board of trustees shall cause inspection to be made of each school bus operating under the authority of the board. Except that, no bus with a documented out-of-use period in excess of sixty (60) days shall be returned to service without first completing a documented sixty (60) day inspection. Annual inspections are considered dual purpose and also meet the sixty (60) day inspection requirement. (Section 33-1506, Idaho Code) ()

04. Documentation of Inspection. All inspections will be documented in writing. Annual inspections must be documented in writing on the form provided by the State Department of Education. ()

05. Unsafe Vehicle. When a bus has been removed from service during a State Department of Education inspection due to an unsafe condition, the district will notify the State Department of Education on the appropriate form before the bus can be returned to service. When a bus has been found to have deficiencies that are not life-threatening, it will be repaired within thirty (30) days and the State Department of Education notified on the appropriate form. If the deficiencies cannot be repaired within thirty (30) days, the bus must be removed from service until the deficiencies have been corrected or an extension granted. ()

06. Withdraw from Service Authority. Subsequent to any federal, national, or state advisory with good cause given therefor, the district shall, under the direction of the State Department of Education, withdraw from service any bus determined to be deficient in any prescribed school bus construction standard intended to safeguard life or minimize injury. No bus withdrawn from service under the provisions of this section shall be returned to service or used to transport students unless the district submits to the State Department of Education a certification of compliance specific to the school bus construction standard in question. (Section 33-1506, Idaho Code) ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

161. -- 169. (RESERVED)

170. School Bus Drivers And Vehicle Operation.

All school districts and school bus drivers must meet or exceed the training, performance and operation requirements delineated in the Standards for Idaho School Buses and Operations as incorporated in Section 004 of these rules. ()

171. -- 179. (RESERVED)

180. Written Policy.

The board of trustees will establish and adopt a set of written policies governing the pupil transportation system. Each school district that provides activity bus transportation for pupils shall have comprehensive policies and guidelines regarding activity transportation. ()

181. -- 189. (RESERVED)

190. Program Operations.

School district fiscal reporting requirements as well as reimbursable and non-reimbursable costs within the Pupil Transportation Support Program, including but not limited to administration, field and activity trips, safety busing, contracting for transportation services, leasing of district-owned buses, insurance, ineligible and non-public school students, ineligible vehicles, capital investments including the purchasing of school buses and equipment, program support and district waiver procedures shall be delineated in Standards for Idaho School Buses and Operations incorporated in Section 004 of these rules. Approved school activities shall include structured college/university visits when such visits are part of the school district college and career advising and mentoring plan. ()

191. -- 219. (RESERVED)

220. Release Time Program For Elementary And Secondary Schools.

In the view of the State Board of Education, public elementary and secondary school programs that permit the practice of releasing students from school for the purpose of attending classes in religious education or for other purposes should observe certain practices that are in keeping with the present state of the law. These practices are designed to ensure that the public school operation is not adversely affected and that public funds and property are not used for sectarian religious instruction in a way which violates the United States Constitution, the Idaho State Constitution, or state law. These practices should include the following: ()

01. Scheduling. The local school board will have reasonable discretion over the scheduling and timing of the release program. Release time programs may not interfere with the scheduling of classes, activities and programs of the public schools. ()

02. Voluntary Decision. The decision of a school district to permit release time programs for kindergarten through grade eight (K-8), as well as the decision of individual students to participate, must be purely voluntary. ()

03. Time Limit. Release time will be scheduled upon the application of a parent or guardian of a student in grades nine through twelve (9-12), not to exceed five (5) periods per week or one hundred sixty-five (165) hours during any one (1) academic school year. ()

04. Location. Release time programs will be conducted away from public school buildings and public school property. ()

05. Request by Parent. No student will be permitted to leave the school grounds during the school day to attend release time programs except upon written request from a parent or guardian filed with the school principal. Such written request by the parent will become a part of the student's permanent record. ()

06. Record Maintenance. The public school will not be responsible for maintaining attendance records

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

for a student who, upon written request of a parent or guardian, is given permission to leave the school grounds to attend a release time program. The school district will maintain a record of each student's daily schedule that indicates when a student is released for classes in religious education or for other purposes. ()

07. Liability. The school district is responsible for ensuring that no public school property, public funds or other public resources are used in any way to operate these programs. The school district is not liable for any injury, act or event occurring while the student participates in such programs. ()

08. Course Credit. No credit will be awarded by the school or district for satisfactory completion by a student of a course or courses in release time for religious instruction. Credit may be granted for other purposes, at the discretion of the local school board. ()

09. Separation From Public Schools. Public schools will not include schedules of classes for release time programs in school catalogs, registration forms or any other regularly printed public school material. Registration for release time programs must occur off school premises, and must be done on forms and supplies furnished by the group or institution offering the program. Teachers of release time programs are not to be considered members of any public school faculty and should not be asked to participate as faculty members in any school functions or to assume responsibilities for operation of any part of the public school program. ()

10. Transportation Liability. Public schools and school districts will not be liable or responsible for the health, safety and welfare of students while they are being transported to and from or participating in release time programs. ()

221. -- 229. (RESERVED)

230. Driver Education.

Public Schools. Pursuant to Section 004 of these rules, all public driver education courses offered in Idaho public schools must be conducted in compliance with all the requirements in the Operating Procedures for Idaho Public Driver Education Programs, as incorporated. ()

231. -- 239. (RESERVED)

240. Juvenile Detention Centers.

01. Instructional Program. Every public school district in the state within which is located a public or private detention facility housing juvenile offenders pursuant to court order will provide an instructional program. The instructional program will: ()

a. Provide course work that meets the minimum requirements of Idaho State Board of Education Rules. ()

b. Provide instruction in core subject areas. ()

c. Include the following components, where appropriate: self-concept improvement, social adjustment, physical fitness/personal health, vocational/occupational, adult living skills, and counseling. ()

d. Provide instruction and guidance that may lead to a high school diploma. School districts will accept such instruction for purposes of issuing credit when the detention center certifies to the school that the appropriate work is completed. ()

e. Be directed by an instructor who holds an appropriate, valid certificate. ()

f. Be provided to each student not later than two (2) school days after admission and continue until the student is released from the detention center. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

- g.** Be provided to students who have attained “school age” as defined in Idaho Code 33-201. ()
 - h.** Be provided for a minimum of four (4) hours during each school day. ()
 - i.** Be based on the needs and abilities of each student. The resident school district will provide pertinent status information as requested by the Juvenile Detention Center. ()
 - j.** Be coordinated with the instructional program at the school the student attends, where appropriate. ()
 - k.** Be provided in a facility that is adequate for instruction and study. ()
 - 02. State Funding of Instructional Programs at Juvenile Detention Centers.** ()
 - a.** Every student housed in a juvenile detention center pursuant to court order and participating in an instructional program provided by a public school district will be counted as an exceptional child by the district for purposes of state reimbursement. ()
 - b.** Public school districts that educate pupils placed by Idaho court order in juvenile detention centers will be eligible for an allowance equivalent to the previous year’s certified local annual tuition rate per pupil. The district allowance will be in addition to support unit funding and included in the district apportionment payment. ()
 - c.** To qualify for state funding of instructional programs at Juvenile Detention Centers, school districts must apply for such funding on forms provided by the State Department of Education. Applications are subject to the review and approval of the State Superintendent of Public Instruction. School districts will submit attendance and enrollment reports as required by the State Superintendent of Public Instruction. Juvenile Detention Centers will submit reports to the local school district as required. ()
- 241. -- 999. (Reserved)**

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

08.02.03 – Rules Governing Thoroughness

000. Legal Authority.

All rules in this Thoroughness chapter (IDAPA 08.02.03) are promulgated pursuant to the authority of the State Board of Education under Article IX, Section 2 of the Idaho Constitution and under sections 33-116, 33-118, and 33-1612, Idaho Code. Specific statutory references for particular rules are also noted as additional authority where appropriate.
(7-1-21)T

001. Scope.

These rules shall govern the thorough education of all public school students in Idaho. (7-1-21)T

002. -- 003. (RESERVED)

004. Incorporation By Reference.

The following documents are incorporated into this rule: (7-1-21)T

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (7-1-21)T

- a.** Arts and Humanities Categories: (7-1-21)T
 - i. Dance, as revised and adopted on August 11, 2016; (7-1-21)T
 - ii. Interdisciplinary Humanities, as revised and adopted on August 11, 2016; (7-1-21)T
 - iii. Media Arts, as adopted on August 11, 2016. (7-1-21)T
 - iv. Music, as revised and adopted on August 11, 2016; (7-1-21)T
 - v. Theater, as revised and adopted on August 11, 2016; (7-1-21)T
 - vi. Visual Arts, as revised and adopted on August 11, 2016; (7-1-21)T
 - vii. World languages, as revised and adopted on August 11, 2016. (7-1-21)T
- b.** Computer Science, adopted on November 28, 2016. (7-1-21)T
- c.** Driver Education, as revised and adopted on August 10, 2017. (7-1-21)T
- d.** English Language Arts/Literacy, as revised and adopted on November 28, 2016. (7-1-21)T
- e.** Health, as revised and adopted on August 11, 2016. (7-1-21)T
- f.** Information and Communication Technology, as revised and adopted on August 10, 2017. (7-1-21)T
- g.** Limited English Proficiency, as revised and adopted on August 21, 2008. (7-1-21)T
- h.** Mathematics, as revised and adopted on August 11, 2016. (7-1-21)T
- i.** Physical Education, as revised and adopted on August 11, 2016. (7-1-21)T
- j.** Science, as revised and adopted on August 10, 2017. (7-1-21)T

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

- k.** Social Studies, as revised and adopted on November 28, 2016. (7-1-21)T
- l.** College and Career Readiness Competencies adopted on June 15, 2017. (7-1-21)T

02. The English Language Development (ELD) Standards. The WIDA 2020 English Language Development (ELD) Standards statements as adopted by the State Board of Education on August 26, 2021. Copies of the document can be found at <https://wida.wisc.edu>. ()

03. The Idaho English Language Proficiency Assessment (ELPA) Achievement Standards. The Idaho English Language Proficiency Assessment (ELPA) Achievement Standards as adopted by the State Board of Education on October 18, 2017. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (7-1-21)T

04. The Idaho Standards Achievement Tests (ISAT) Achievement Level Descriptors. Achievement Level Descriptors as adopted by the State Board of Education on April 14, 2016. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (7-1-21)T

05. The Idaho Content Standards Core Content Connectors. The Idaho Content Standards Core Content Connectors as adopted by the State Board of Education. Copies of the document can be found at the State Board of Education website at <https://boardofed.idaho.gov>. (7-1-21)T

- a.** English Language Arts, as adopted by the State Board of Education on August 10, 2017. (7-1-21)T
- b.** Mathematics, as adopted by the State Board of Education on August 10, 2017. (7-1-21)T
- c.** Science, as adopted by the State Board of Education on June 19, 2019. (7-1-21)T

06. The Idaho Alternate Assessment Achievement Standards. Alternate Assessment Achievement Standards as adopted by the State Board of Education on October 18, 2017. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (7-1-21)T

07. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (7-1-21)T

08. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (7-1-21)T

09. The Idaho Special Education Manual. The Idaho Special Education Manual as adopted by the State Board of Education on October 17, 2018. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov>. (7-1-21)T

005. -- 006. (RESERVED)

007. Definitions

01. Achievement Standards. Define “below basic,” “basic,” “proficient,” and “advanced” achievement levels on the Idaho Standards Achievement Tests (ISAT) and level one (1) through level six (6) on Idaho’s English language assessment by setting scale score cut points. These cut scores are paired with descriptions of how well students are mastering the material in the content standards. These descriptions are called performance level descriptors or PLDs, and are provided by performance level, by content area, and by grade.

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

(7-1-21)T

02. Advanced Opportunities. Placement courses, Dual Credit courses, Technical Competency Credit, or International Baccalaureate programs. (7-1-21)T

03. Advanced Placement® (AP) - College Board. The Advanced Placement Program is administered by the College Board at <http://www.collegeboard.com>. AP students may take one (1) or more college level courses in a variety of subjects. AP courses are not tied to a specific college curriculum, but rather follow national College Board curricula. While taking the AP exam is optional, students can earn college credit by scoring well on the national exams. It is up to the discretion of the receiving college to accept the scores from the AP exams to award college credit or advanced standing. (7-1-21)T

04. All Students. All public school students, grades K-12. (7-1-21)T

05. Assessment. The process of quantifying, describing, or gathering information about skills, knowledge or performance. (7-1-21)T

06. Assessment Standards. Statements setting forth guidelines for evaluating student work, as in the “Standards for the Assessment of Reading and Writing.” (7-1-21)T

07. Career Pathway Plan. The plan that outlines a student’s program of study, which should include a rigorous academic core and a related sequence of electives in academic, career technical education (CTE), or humanities aligned with the student’s post-graduation goals. (7-1-21)T

08. Career Technical Education. Formal preparation for semi-skilled, skilled, technical, or paraprofessional occupations, usually below the baccalaureate level. (7-1-21)T

09. College and Career Readiness. College and career readiness is the attainment and demonstration of state board adopted competencies that broadly prepare high school graduates for a successful transition into some form of postsecondary education and/or the workplace. (7-1-21)T

10. Content Standards. Describe the knowledge, concepts, and skills that students are expected to acquire at each grade level in each content area. (7-1-21)T

11. Criteria. Guidelines, rules or principles by which student responses, products, or performances, are judged. What is valued and expected in the student performance, when written down and used in assessment, become rubrics or scoring guides. (7-1-21)T

12. Diploma. A document awarded to a student by a secondary school to show the student has successfully completed the state and local education agency graduation requirements. Diplomas may be awarded to individuals who attended a secondary school prior to the year in which the student is requesting issuance of a diploma based on the graduation requirements in existence at the time the student attended. Determination of meeting past graduation requirements may be determined based on proficiency as determined by the local education agency. Each local education agency may determine the format of the diploma, including the recognition of emphasis areas based on a student’s completion of courses or courses or studies in an emphasis area or educational pathways, including but not limited to science, technology, engineering and math (STEM), career technical education, or arts and music. (7-1-21)T

13. Dual Credit. Dual credit allows high school students to simultaneously earn credit toward a high school diploma and a postsecondary degree or certificate. Postsecondary institutions work closely with high schools to deliver college courses that are identical to those offered on the college campus. Credits earned in a dual credit class become part of the student’s permanent college record. Students may enroll in dual credit programs taught at the high school or on the college campus. (7-1-21)T

14. Idaho Standards Achievement Tests. Statewide assessments aligned to the state content standards

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

and used to measure a student's knowledge of the applicable content standards.

(7-1-21)T

15. International Baccalaureate (IB) - Administered by the International Baccalaureate Organization, the IB program provides a comprehensive liberal arts course of study for students in their junior and senior years of high school. IB students take end-of-course exams that may qualify for college credit. Successful completion of the full course of study leads to an IB diploma.

(7-1-21)T

16. Laboratory. A laboratory course is defined as one in which at least one (1) class period each week is devoted to providing students with the opportunity to manipulate equipment, materials, specimens or develop skills in observation and analysis and discover, demonstrate, illustrate or test scientific principles or concepts.

(7-1-21)T

17. Portfolio. A collection of materials that documents and demonstrates a student's academic and work-based learning. Although there is no standard format for a portfolio, it typically includes many forms of information that exhibit the student's knowledge, skills, and interests. By building a portfolio, students can recognize their own growth and learn to take increased responsibility for their education. Teachers, mentors, and employers can use portfolios for assessment purposes and to record educational outcomes.

(7-1-21)T

18. Project Based Learning. A hands-on approach to learning that encourages students to create/interpret/communicate an original work or project and assesses quality and success of learning through performance/presentation/production of that work or project.

(7-1-21)T

19. Proficiency. Having or demonstrating a high degree of knowledge or skill in a particular area.

(7-1-21)T

20. Standards. Statements about what is valued in a given field, such as English language arts, and/or descriptions of what is considered quality work. See content standards, assessment standards, and achievement standards.

(7-1-21)T

21. Technical Competency Credit. Technical competency credit is a sequenced program of study that allows secondary students to document proficiency in the skills and abilities they develop in approved high school career technical programs to be evaluated for postsecondary transcription at a later date. Technical Competency Credits are awarded for skills and competencies identified as eligible through an agreement with at least one Idaho postsecondary institution. Eligible skills and competencies are included as part of a high school career technical program and approved by the postsecondary institution through the agreement in advance to student participation. Credits are granted by the postsecondary institution for which the agreement is with and are transcribed at the time the student enrolls at the postsecondary institution.

(7-1-21)T

22. Technology Education. A curriculum for elementary, middle, and senior high schools that integrates learning about technology (e.g., transportation, materials, communication, manufacturing, power and energy, and biotechnology) with problem-solving projects that require students to work in teams. Many technology education classrooms and laboratories are well equipped with computers, basic hand tools, simple robots, electronic devices, and other resources found in most communities today.

(7-1-21)T

23. Unique Student Identifier. A number issued and assigned by the ~~State Department of Education~~ [state longitudinal data system](#) to each student currently enrolled or who will be enrolled in an Idaho local education agency to obtain data.

(7-1-21)T

010. – 101. (RESERVED)

102. Instructional Requirements.

01. Instruction and Programs. All schools will deliver a core of instruction and advisement programs (see Section 108, Guidance Programs) for each student in elementary schools, middle schools/junior high and high schools.

(7-1-21)T

02. Standards. All students will meet standards established locally (at a minimum, the standards of the state) through rigorous accountability, which includes challenging examinations, demonstrations of achievement, and other appropriate tests and measures. (7-1-21)T

103. Instruction Grades 1-12.

01. Instruction. Instruction is inclusive of subject matter, content and course offerings. Patterns of instructional organization are a local school district option. Schools will assure students meet locally developed standards with the state standards as a minimum.* (*This includes special instruction that allows limited English proficient students to participate successfully in all aspects of the school's curriculum and keep up with other students in the regular education program. It also includes special learning opportunities for accelerated, learning disabled students and students with other disabilities.) (7-1-21)T

02. Instructional Courses. At appropriate grade levels, instruction will include but not be limited to the following: (7-1-21)T

a. Language Arts and Communication will include instruction in reading, writing, English, literature, technological applications, spelling, speech and listening, and, in elementary schools, cursive writing. (7-1-21)T

b. Mathematics will include instruction in addition, subtraction, multiplication, division, percentages, mathematical reasoning and probability. (7-1-21)T

c. Science will include instruction in applied sciences, earth and space sciences, physical sciences, and life sciences. (7-1-21)T

d. Social Studies will include instruction in history, government, geography, economics, current world affairs, citizenship, and sociology. (7-1-21)T

104. Other Required Instruction.

Other required instruction for all students and other required offerings of the school are: (7-1-21)T

01. Elementary Schools. (7-1-21)T

a. The following section outlines other information required for all elementary students, as well as other required offerings of the school:

Fine Arts (art and music)

Health (wellness)

Physical Education (fitness) (7-1-21)T

b. Additional instructional options as determined by the local school district. For example:

Languages other than English

Career Awareness (7-1-21)T

02. Middle Schools/Junior High Schools. (7-1-21)T

a. No later than the end of Grade eight (8) each student shall develop parent-approved student career pathways plans for their high school and post-high school options. The career pathways plan shall be developed by students with the assistance of parents or guardians, and with advice and recommendation from school personnel. It shall be reviewed annually and may be revised at any time. The purpose of a parent-approved student career pathway plan is to outline a course of study and learning activities for students to become contributing members of society. A student career pathway plan describes, at a minimum, the list of courses and learning activities in which the student will engage while working toward meeting the state and school district's or LEA's graduation standards in preparation

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

for postsecondary goals. The school district or LEA will have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the career pathway plan. A career pathway plan will not be required if the parent or guardian requests, in writing, that no career pathway plan be developed. (7-1-21)T

b. A student must have met the grade eight (8) mathematics standards before the student will be permitted to enter grade nine (9). (7-1-21)T

c. Other required instruction for all middle school students:

Career exploration

Health (wellness)

Physical Education (fitness)

()

d. Other required offerings of the school:

Family and Consumer Science

Fine and Performing Arts

Career Technical Education

Advisory Period (middle school only, encouraged in junior high school)

(7-1-21)T

03. High Schools.

(7-1-21)T

a. High schools must offer a wide variety of courses to satisfy state and local graduation requirements. High schools are required to provide instructional offerings in Physical Education (fitness) and Career Technical Education and the instruction necessary to assure students are college and career ready at the time of graduation. (7-1-21)T

b. High schools will annually review and update with the student the parent-approved student career pathway plans outlined in Subsection 104.02.a. (7-1-21)T

105. High School Graduation Requirements.

A student must meet all of the requirements identified in this section before the student will be eligible to graduate from an Idaho high school. The local school district or LEA may establish graduation requirements beyond the state minimum. (7-1-21)T

01. Credit Requirements. The State minimum graduation requirement for all Idaho public high schools is forty-six (46) credits and must include twenty-nine (29) credits in core subjects as identified in Paragraphs 105.01.c. through 105.01.i. (7-1-21)T

a. Credits. (Effective for all students who enter the ninth grade in the fall of 2010 or later.) One (1) credit shall equal sixty (60) hours of total instruction. School districts or LEA's may request a waiver from this provision by submitting a letter to the State Department of Education for approval, signed by the superintendent and chair of the board of trustees of the district or LEA. The waiver request shall provide information and documentation that substantiates the school district or LEA's reason for not requiring sixty (60) hours of total instruction per credit. (7-1-21)T

b. Mastery. Notwithstanding the credit definition of Subsection 105.01.a., a student may also achieve credits by demonstrating mastery of a subject's content standards as defined and approved by the local school district or LEA. (7-1-21)T

c. Secondary Language Arts and Communication. Nine (9) credits are required. Eight (8) credits of instruction in Language Arts. Each year of Language Arts shall consist of language study, composition, and literature and be aligned to the Idaho Content Standards for the appropriate grade level. One (1) credit of instruction in communications consisting of oral communication and technological applications that includes a course in speech, a

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

course in debate, or a sequence of instructional activities that meet the Idaho Speech Content Standards requirements.
(7-1-21)T

d. Mathematics. Six (6) credits are required. Secondary mathematics includes Integrated Mathematics, Applied Mathematics, Business Mathematics, Algebra, Geometry, Trigonometry, Fundamentals of Calculus, Probability and Statistics, Discrete Mathematics, and courses in mathematical problem solving and quantitative reasoning. Dual credit engineering and computer science courses aligned to the state standards for grades nine (9) through (12), including AP Computer Science and dual credit computer Science courses may also be counted as a mathematics credit. Students who choose to take computer science and dual credit engineering courses may not concurrently count such courses as both a mathematics and science credit for the same course. ()

i. Students must complete secondary mathematics in the following areas: (7-1-21)T

(1) Two (2) credits of Algebra I, Algebra I level equivalent Integrated Mathematics or courses that meet the High School Algebra Content Standards; (7-1-21)T

(2) Two (2) credits of Geometry, Geometry level equivalent Integrated Mathematics, or courses that meet the Idaho High School Geometry Content Standards; and (7-1-21)T

(3) Two (2) credits of mathematics of the student's choice. (7-1-21)T

ii. Two (2) credits of the required six (6) credits of mathematics must be taken in the last year of high school in which the student intends to graduate. For the purposes of this subsection, the last year of high school shall include the summer preceding the fall start of classes. Students who return to school during the summer or the following fall of the next year for less than a full schedule of courses due to failing to pass a course other than mathematics are not required to retake a mathematics course as long as they have earned six (6) credits of high school level mathematics. (7-1-21)T

iii. Students who have completed six (6) or more high school credits of mathematics prior to the fall of their last year of high school, including at least two (2) semesters of an Advanced Placement or dual credit calculus or higher level course, are exempt from taking mathematics during their last year of high school. High School mathematics credits completed in middle school shall count for the purposes of this section. (7-1-21)T

iv. Students who earn eight (8) or more high school credits of mathematics that include Algebra II or higher level of mathematics class before the student's senior year are not required to take mathematics during their last year of high school. High school mathematics credits earned in middle school shall count for the purposes of this section. (7-1-21)T

e. Science. Six (6) credits are required two (2) of which will be laboratory based. Secondary sciences include instruction in applied sciences, earth and space sciences, physical sciences, life sciences and computer science. ()

ii. Secondary sciences include instruction in the following areas: biology, computer science, physical science or chemistry, and earth, space, environment, or approved applied science. ()

f. Social Studies. Five (5) credits are required, including government (two (2) credits), United States history (two (2) credits), and economics (one (1) credit). Courses such as geography, sociology, psychology, and world history may be offered as electives, but are not to be counted as a social studies requirement. (7-1-21)T

g. Humanities. Two (2) credits are required. Humanities courses include instruction in visual arts, music, theatre, dance, or world language aligned to the Idaho content standards for those subjects. Other courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

the course is aligned to the Interdisciplinary Humanities Content Standards.

(7-1-21)T

h. Health/Wellness. One (1) credit is required. Course must be aligned to the Idaho Health Content Standards. Effective for all public school students who enter grade nine (9) in Fall 2015 or later, each student shall receive a minimum of one (1) class period on psychomotor cardiopulmonary resuscitation (CPR) training as outlined in the American Heart Association (AHA) Guidelines for CPR to include the proper utilization of an automatic external defibrillator (AED) as part of the Health/Wellness course.

(7-1-21)T

i. Students participating in one (1) season in any sport recognized by the Idaho High School Activities Association or club sport recognized by the local school district, or eighteen (18) weeks of a sport recognized by the local school district may choose to substitute participation up to one (1) credit of physical education. Students must show mastery of the Physical Education Content Standards in a format provided by the school district.

(7-1-21)T

02. Content Standards. Each student shall meet locally established subject area standards (using state content standards as minimum requirements) demonstrated through various measures of accountability including examinations or other measures.

(7-1-21)T

04. Senior Project. The senior project is a culminating project to show a student's ability to analyze, synthesize, and evaluate information and communicate that knowledge and understanding. A student must complete a senior project by the end of grade twelve (12). Senior projects may be multi-year projects, group or individual projects, or approved pre-internship or school to work internship programs, at the discretion of the school district or charter school. The project must include elements of research, development of a thesis using experiential learning or integrated project based learning experiences and presentation of the project outcome. Additional requirements for a senior project are at the discretion of the local school district or LEA. Completion of a postsecondary certificate or degree at the time of high school graduation or an approved pre-internship or internship program may be used to meet this requirement.

(7-1-21)T

05. Civics and Government Proficiency. Pursuant to Section 33-1602, Idaho Code, each LEA may establish an alternate path for determining if a student has met the state civics and government content standards. Alternate paths are open to all students in grades seven (7) through twelve (12.) Any student who has been determined proficient in the state civics and government content standards either through the completion of the civics test or an alternate path shall have it noted on the student's high school transcript.

(7-1-21)T

06. Middle School. A student will have met the high school content and credit area requirement for any high school course if the requirements outlined in Subsections 105.06.a. through 105.06.c. of this rule are met.

(7-1-21)T

a. The student completes such course with a grade of C or higher before entering grade nine (9);

(7-1-21)T

b. The course meets the same content standards that are required in high school for the same course; and

(7-1-21)T

c. The course is taught by a teacher properly certified to teach high school content and who meets the federal definition of highly qualified for the course being taught.

(7-1-21)T

d. The student shall be given a grade for the successful completion of that course and such grade and the number of credit hours assigned to the course shall be transferred to the student's high school transcript. Notwithstanding this requirement, the student's parent or guardian shall be notified in advance when credits are going to be transcribed and may elect to not have the credits and grade transferred to the student's high school transcript. Courses taken in middle school appearing in the student's high school transcript, pursuant to this subsection, shall count for the purpose of high school graduation. However, the student must complete the required number of credits

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

in all high school core subjects as identified in Subsections 105.01.c. through 105.01.h. except as provided in 105.01.d.iii. The transcribing high school is required to verify the course meets the requirements specified in Subsections 105.06.a. through 105.06.b. of this rule. (7-1-21)T

07. Special Education Students. A student who is eligible for special education services under the Individuals With Disabilities Education Improvement Act must, with the assistance of the student's Individualized Education Program (IEP) team, refer to the current Idaho Special Education Manual for guidance in addressing graduation requirements. (7-1-21)T

08. Foreign Exchange Students. A foreign exchange student may be eligible for graduation by completing a comparable program as approved by the school district or LEA. (7-1-21)T

106. Advanced Opportunities.

01. Advanced Opportunities Requirement. All high schools in Idaho shall be required to provide Advanced Opportunities, as defined in Section 007, or provide opportunities for students to take courses at the postsecondary campus. (7-1-21)T

02. Advanced Opportunities Early Graduation Scholarship Funding (Effective July 1, 2016). (7-1-21)T

a. Scholarship Calculation. (7-1-21)T

i. The statewide average daily attendance-driven funding per enrolled pupil shall be calculated by adding the previous fiscal year's statewide distributions for salary-based apportionment, benefit apportionment and discretionary funds, and dividing the total by the previous year's statewide public school enrollment for all grades. (7-1-21)T

ii. The statewide average daily attendance-driven funding per enrolled pupil shall be recalculated each fiscal year. (7-1-21)T

iii. All benefits paid for scholarships and to public schools shall be based on the statewide average daily attendance-driven funding per enrolled pupil figure for the fiscal year in which the benefit is paid. (7-1-21)T

b. Payments to Idaho Colleges and Universities. (7-1-21)T

i. Annual scholarship payments will be made in one (1) installment during the first semester in which the student is enrolled, regardless of the number of years early the student graduated. Proof of enrollment in an Idaho public college or university must be obtained before any scholarship payment is made. (7-1-21)T

ii. The State Department of Education will be responsible for making payments to the Idaho public colleges and universities attended by eligible students. The payments must be made no later than August 30 for the fall semester and January 30 for the spring semester. (7-1-21)T

c. Payments to Public Schools. (7-1-21)T

i. Public schools shall report to the State Department of Education, no later than June 15 of each school year, students who have graduated early. (7-1-21)T

ii. The State Department of Education will make a single annual payment to public schools no later than October 1 of each year for all early graduates who are not attending the public school that school year as a result of early graduation. (7-1-21)T

107. Middle Level Credit System.

A school district or LEA must implement a credit system no later than grade seven (7) that includes components that

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

address the credit requirements, credit recovery, alternate mechanisms and attendance. The local school district or LEA may establish credit requirements beyond the state minimum. (7-1-21)T

01. Credit Requirements. Each district or LEA credit system shall require a student to attain, at a minimum, a portion of the total credits attempted in each area in which credits are attempted except for areas in which instruction is less than a school year before the student will be eligible for promotion to the next grade level. ()

02. Credit Recovery. A student who does not meet the minimum requirements of the credit system shall be given an opportunity to recover credits or complete an alternate mechanism in order to become eligible for promotion to next grade level. (7-1-21)T

03. Alternate Mechanism. A school district or LEA may establish an alternate mechanism to determine eligibility for grade level promotion. The alternate mechanism shall require a student to demonstrate proficiency of the appropriate content standards. All locally established mechanisms used to demonstrate proficiency will be forwarded to the State Department of Education. Alternate mechanisms must be re-submitted to the Department when changes are made to the mechanism. (7-1-21)T

04. Attendance. Attendance shall be an element included in the credit system, alternate mechanism or both. (7-1-21)T

05. Special Education Students. The Individualized Education Program (IEP) team for a student who is eligible for special education services under the Individuals with Disabilities Education Improvement Act may, establish alternate requirements or accommodations to credit requirements as are deemed necessary for the student to become eligible for promotion to the next grade level. (7-1-21)T

06. Limited English Proficient (LEP) Students. The Educational Learning Plan (ELP) team for a Limited English Proficient (LEP) students, as defined in Subsection 112.05.g.iv., may establish alternate requirements or accommodations to credit requirements as deemed necessary for the student to become eligible for promotion to the next grade level. (7-1-21)T

108. Guidance Programs (Section 33-1212, Idaho Code).

In each Idaho school, a comprehensive guidance program will be provided as an integral part of the educational program. A comprehensive guidance and counseling program includes these elements: (7-1-21)T

01. Guidance. A guidance curriculum that identifies knowledge and skills to be attained by all students at various stages of their development and provides appropriate activities for their achievement. (7-1-21)T

02. Individual Planning. Individualized planning with students and their parents in each of these domains: personal/social development, educational development, and career development. (7-1-21)T

03. Response Services of Counseling, Consultation, and Referral. (7-1-21)T

04. System Support Functions That Promote Effective Delivery of Guidance Services. (7-1-21)T

109. Special Education.

01. Definitions. The following definitions apply only to Section 109 of these rules. (7-1-21)T

a. Adult Student. A student who is eligible for special education, is eighteen (18) years of age or older and to whom special education rights have transferred. (7-1-21)T

b. Due Process Hearing. An administrative hearing that is conducted to resolve disputes. (7-1-21)T

i. Regular due process hearing regarding issues on any matter related to identification, evaluation, placement, or the provision of a free appropriate public education. (7-1-21)T

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

ii. For disputes concerning discipline for which shortened time lines are in effect, an expedited due process hearing may be requested in accordance with the Individuals with Disabilities Education Act. (7-1-21)T

c. Education Agency. Each school district and other public agency that is responsible for providing special education and related services to students with disabilities, including the Department of Juvenile Corrections and the Idaho School for the Deaf and Blind. (7-1-21)T

d. Idaho Special Education Manual. Policies and procedures, as approved by the State Board of Education, that the State Department of Education is required to adopt to meet the eligibility requirements of 20 U.S.C. Section 1412 and are consistent with state and federal laws, rules, regulations, and legal requirements. (7-1-21)T

e. Special Education. Specially designed instruction as defined by the Individuals with Disabilities Education Act or speech-language pathology services to meet the unique needs of a special education student. (7-1-21)T

02. Legal Compliance. The State Department of Education and education agencies shall comply with all governing special education requirements. (7-1-21)T

a. The Board of Trustees or other comparable governing body of each education agency shall adopt policies and procedures for providing special education services and obtain approval from the State Department of Education for the same. Department approval shall be based on current governing special education requirements. Each education agency shall revise its policies and procedures as necessary to conform with changes in governing special education requirements. (7-1-21)T

b. The State Department of Education shall provide education agencies with a sample set of policies and procedures that is consistent with governing special education requirements. The Department shall monitor all education agencies and private agencies who provide special education services to students with disabilities for compliance with governing special education requirements and adopted policies and procedures. (7-1-21)T

c. Each education agency shall ensure that charter schools and alternative schools located in its jurisdiction have nondiscriminatory enrollment practices. Each education agency shall ensure the provision of special education and related services to eligible students enrolled in charter and alternative schools in accordance with governing special education requirements. (7-1-21)T

d. Each education agency contracting with a private school or facility shall ensure that the private school or facility is approved by the State Department of Education to provide special education services. The Department may approve a private school or facility to provide special education services upon application to the Department if it: (7-1-21)T

i. Is an accredited school or a licensed rehabilitation center; and (7-1-21)T

ii. Meets minimum health, fire and safety standards; and (7-1-21)T

iii. Is nonsectarian; and (7-1-21)T

iv. Provides special education services consistent with governing special education requirements. (7-1-21)T

v. Any private school or facility aggrieved by the Department's final decision may appeal that decision to the State Board of Education. (7-1-21)T

e. Education agencies shall employ special education and related services professional personnel using certification standards approved by the State Board of Education or licensing standards adopted by the appropriate

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

Idaho state licensing board. Education agencies shall employ individuals who meet the highest entry-level standard that applies to a specific discipline unless there is a shortage of fully qualified candidates for a specific position. If there is a shortage of fully qualified candidates, the education agency shall hire the most qualified individual available who is making satisfactory progress toward meeting the highest entry-level standard within three (3) years. (7-1-21)T

f. Education agencies may employ paraprofessional personnel to assist in the provision of special education and related services to students with disabilities if they meet standards established by the State Department of Education. (7-1-21)T

g. Education agencies shall collect and report data as necessary to meet state and federal requirements concerning special education services, staff or students. Education agencies shall develop, implement and revise district improvement plans as necessary to improve results as measured by data on goals and indicators for the performance of special education students that are established by the State Department of Education in accordance with the Individuals with Disabilities Education Act. (7-1-21)T

h. Education agencies shall establish a team process to problem solve and plan general education interventions to ensure that referrals to special education are appropriate. (7-1-21)T

03. Eligibility for Special Education. The State Department of Education shall provide state eligibility criteria for special education services for categorical eligibility consistent with the Individuals with Disabilities Education Act. Education agencies shall consider eligibility under all disability categories set forth in the Idaho Special Education Manual with the exception of developmental delay, which is an optional category. If an education agency elects to use the developmental delay category, it shall consider developmental delay for students ages three (3) through nine (9) using the eligibility criteria adopted by the Department and set forth in the Idaho Special Education Manual. The total timeline from the date of receipt of written parental consent for an initial evaluation to the date of determination of eligibility for special education and related services must not exceed sixty (60) calendar days, excluding periods when regular school is not in session for five (5) or more consecutive school days, unless all parties agree to an extension. (7-1-21)T

04. Individualized Education Programs. Each education agency shall develop an individualized education program (IEP) for each student who is eligible for special education. The IEP shall be implemented as soon as possible after it is developed. The total timeline from the determination that the student needs special education and related services to the date of implementation of the initial IEP shall not exceed thirty (30) calendar days. A new IEP shall be developed at least annually, on or before the date the previous IEP was developed. (7-1-21)T

a. IEP team meetings shall be convened upon reasonable request of any IEP team member at times other than the annual review. If the education agency refuses to convene an IEP team meeting requested by a parent or adult student, the agency shall provide written notice of the refusal. (7-1-21)T

b. Education agencies shall document the attendance of all participants at each IEP team meeting. Any participant who does not agree with an IEP team decision regarding a student's educational program may place a minority report in that student's file. A minority report shall not prevent implementation of an IEP team decision. (7-1-21)T

c. The IEP team shall determine the student's placement in the least restrictive environment. (7-1-21)T

d. At the discretion of the education agency, an individualized family service plan (IFSP) may be used in place of an IEP if: (7-1-21)T

i. The child is ages three (3) through five (5), and (7-1-21)T

ii. The child's parents are provided with a detailed explanation of the differences between an IFSP and an IEP, and (7-1-21)T

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

- iii. The child's parents provide written consent to use the IFSP, and (7-1-21)T
- iv. The IFSP is developed in accordance with IDEA Part B policies and procedures. (7-1-21)T
- v. Nothing in this part requires education agencies to develop IFSPs rather than IEPs for three (3) through five (5) year old nor to implement more than the educational components of the IFSP. (7-1-21)T

e. When a student who has been determined eligible for special education, as indicated by a current IEP, transfers from one (1) Idaho education agency to another, the student is entitled to continue to receive special education services. The receiving education agency may accept and implement the existing IEP or may convene an IEP team meeting to develop a new IEP. If a new IEP cannot be developed within five (5) school days, or if the education agency wishes to re-evaluate the child, an interim (short-term) IEP shall be implemented pending development of the standard IEP. (7-1-21)T

f. If a student who is eligible for special education in another state transfers to an Idaho education agency, the Idaho education agency shall request a copy of the student's most recent eligibility documentation and IEP within two (2) school days. Within five (5) school days of receipt of the eligibility documentation and IEP, the Idaho education agency shall determine if it will adopt the existing eligibility documentation and IEP. If the education agency disagrees with the existing eligibility documentation, or if the documentation is not available within a reasonable time period, consent for an initial assessment shall be sought. While the assessment and evaluation is in process, the education agency may implement an interim IEP if the parent or adult student agrees. If the parent or adult student does not agree to an interim IEP, the student shall be placed in general education. (7-1-21)T

05. Procedural Safeguards. Education agencies will use appropriate procedural safeguards consistent with the Individuals with Disabilities Education Act. (7-1-21)T

a. If a parent or adult student disagrees with an individualized education program (IEP) team's proposed IEP for the student, the parent or adult student may file a written objection to all or parts of the proposed IEP. If the written objection is emailed, postmarked or hand delivered within ten (10) calendar days of the date the parent or adult student receives written notice of the proposed IEP, the proposed change cannot be implemented for fifteen (15) calendar days, or as extended through mutual agreement by the district and the parent or adult student while the parties work to resolve the dispute. Parties may choose to hold additional IEP team meetings which may be facilitated by the State Department of Education (SDE) or request voluntary mediation through the SDE. If these methods fail or are refused, the proposed IEP shall be implemented after fifteen (15) calendar days unless a due process hearing is filed by the parents or adult student, during which time the student shall remain in the current educational placement during the pendency of any administrative or judicial proceeding, unless the district/adult student agree otherwise. The written objection cannot be used to prevent the education agency from placing a student in an interim alternative educational setting in accordance with IDEA discipline procedures, or to challenge an eligibility/identification determination. (7-1-21)T

b. Mediation may be requested by an education agency, parent, or adult student, or offered by the State Department of Education at any time. The Department shall screen all such requests to determine appropriateness. Any time a hearing is requested, the Department shall offer mediation using policies and requirements set forth in the Individuals with Disabilities Education Act regulations. If the Department appoints a mediator, the Department shall be responsible for compensating the mediator. All mediation participants will receive a copy of the Notification of Mediation Confidentiality form. Attorney fees may not be awarded for a mediation that is conducted prior to a request for a due process hearing. (7-1-21)T

c. The State Department of Education shall administer a single-tiered due process hearing system to resolve disputes between education agencies and parents or adult students. When a due process hearing is requested, the superintendent, special education director, or other agency administrator shall inform the agency's board of trustees or other governing body of the request. The education agency shall immediately notify the Department's Director of Special Education of any request for a due process hearing. Within ten (10) calendar days of a written request for a regular hearing, or within five (5) business days of a written request for an expedited hearing, an impartial hearing officer shall be assigned by the Department. The Department shall maintain a list of trained hearing officers and their

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

qualifications. (7-1-21)T

d. The education agency that is a party to the hearing shall be responsible for compensating the hearing officer and paying for the cost of a verbatim transcript of the hearing. (7-1-21)T

e. Due process hearings shall be conducted pursuant to IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," Individuals with Disabilities Education Act requirements, and the Idaho Special Education Manual, incorporated by reference in Section 004 of this rule. In case of any conflict between the IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General" and the IDEA, the IDEA shall supersede the IDAPA 04.11.01, and IDAPA 04.11.01 shall supersede the Idaho Special Education Manual. (7-1-21)T

f. The hearing officer shall issue a written decision that includes findings of fact and conclusions of law within forty-five (45) calendar days of the date a regular hearing is requested, unless a specific extension of this time line is requested by one (1) of the parties and granted by the hearing officer. The hearing officer shall issue a written decision that includes findings of fact and conclusions of law within twenty (20) calendar days of a written request for an expedited hearing, unless a specific extension of this time line has been granted. An extension of the time line for an expedited hearing shall not exceed an additional twenty-five (25) calendar days, and may be granted only if requested by one (1) of the parties and agreed to by both parties. The decision shall be sent to the parent or adult student, the education agency administrator, their respective representatives, and the State Department of Education. (7-1-21)T

g. The hearing officer's decision shall be binding unless either party appeals the decision by initiating a civil action. The hearing officer's decision shall be implemented not later than fourteen (14) calendar days from the date of issuance unless an appeal is filed by a parent or adult student or the decision specifies a different implementation date. An appeal to civil court must be filed within forty-two (42) calendar days from the date of issuance of the hearing officer's decision. (7-1-21)T

h. During the hearing the education agency shall provide reasonable accommodations as required by federal and state regulations. Disputes concerning reasonable accommodations shall be referred to the U.S. Department of Education's Americans with Disabilities Act (ADA) Committee for resolution. (7-1-21)T

i. During the pendency of any due process hearing or civil appeal the child's educational placement shall be determined by the Individuals with Disabilities Education Act "stay put" requirements. (7-1-21)T

j. A parent or adult student has the right to an independent educational evaluation (IEE) at public expense if the parent or adult student disagrees with an evaluation obtained by the education agency. Whenever an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria the education agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent or adult student's right to an IEE. If an education agency has cost as one (1) of the criteria the education agency uses when it initiates an evaluation, the education agency may apply that criteria to independent educational evaluations. However, the parent or adult student has the right to demonstrate that unique circumstances justify an IEE that falls outside the education agency's cost criteria, and if so demonstrated, that IEE shall be publicly funded. A due process hearing may be initiated by the education agency to determine if the evaluation conducted by the education agency is appropriate. If the final decision of a hearing officer, or civil court, if the hearing officer's decision is appealed, is that the evaluation conducted by the education agency is appropriate, the parent or adult student still has the right to an independent educational evaluation, but not at the education agency's expense. (7-1-21)T

k. Student records shall be managed in accordance with IDEA and Family and Educational Rights and Privacy Act regulations governing security, confidentiality, access, maintenance, destruction, inspection and amendment. (7-1-21)T

06. Assistive Technology Devices. Education agencies may hold a parent liable for the replacement or repair of an assistive technology device that is purchased or otherwise procured by the education agency if it is lost,

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

stolen, or damaged due to negligence or misuse at home or in another setting outside of school time. (7-1-21)T

07. Diplomas and Graduation. School districts shall use a regular diploma for students who are eligible for special education at the completion of their secondary program. The transcript serves as a record of individual accomplishments, achievements, and courses completed. A modified or differentiated diploma or certificate may not be used for students who are eligible for special education unless the same diploma or certificate is granted to students without disabilities. If a student is not granted a regular high school diploma or if a regular high school diploma is granted for completing requirements that are not comparable to regular graduation requirements, a student who is eligible for special education is entitled to receive a free appropriate public education through the semester in which the student turns twenty-one (21) years of age or until the student completes requirements that are comparable to regular graduation requirements, whichever comes first. (7-1-21)T

08. Special Education Advisory Panel. The State Superintendent of Public Instruction shall appoint members to serve on the Special Education Advisory Panel. Panel members shall elect annually an individual to serve a one (1) year term as vice-chair followed by a one (1) year term as chair. (7-1-21)T

110. Alternative Secondary Programs.

Alternative secondary programs are those that provide special instructional courses and offer special services to eligible at-risk youth to enable them to earn a high school diploma. Designated differences must be established between the alternative school programs and the regular secondary school programs. Alternative secondary school programs will include course offerings, teacher/pupil ratios and evidence of teaching strategies that are clearly designed to serve at-risk youth, pursuant to Section 33-1001, Idaho Code. (7-1-21)T

01. Instruction. Special instruction courses for at-risk youth enrolled in an alternative secondary program will include: (7-1-21)T

- a. Core academic content that meets or exceeds minimum state standards; (7-1-21)T
- b. A physical fitness and personal health component; (7-1-21)T
- c. Career and technical education component approved by the state division of career technical education; (7-1-21)T
- d. A personal finance, parenting, and child care component; and (7-1-21)T
- e. A personal and career counseling component. (7-1-21)T

02. Graduation Credit. Graduation credit may be earned in the following areas: academic subjects, electives, and approved work-based learning experiences. Nonacademic courses, i.e., classroom and office aides do not qualify for credit unless they are approved work-based learning experiences. (7-1-21)T

03. Special Services. Special services for at-risk youth enrolled in alternative secondary programs include the following where appropriate: (7-1-21)T

- a. A day care center when enrollees are also parents. This center should be staffed by a qualified child care provider. (7-1-21)T
- b. Direct social services that may include officers of the court, social workers, counselors/psychologists. (7-1-21)T
- c. All services in accordance with the student's Individualized Education Program. (7-1-21)T

111. Assessment In The Public Schools.

01. Philosophy. Acquiring the basic skills is essential to realization of full educational, vocational and

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

personal/social development. Since Idaho schools are responsible for instruction in the basic scholastic skills, the State Board of Education has a vested interest in regularly surveying student skill acquisition as an index of the effectiveness of the educational program. This information can best be secured through objective assessment of student growth. The State Board of Education will provide oversight for all components of the comprehensive assessment program. (7-1-21)T

- 02. Purposes.** The purpose of assessment in the public schools is to: (7-1-21)T
- a.** Measure and improve student achievement; (7-1-21)T
 - b.** Assist classroom teachers in designing lessons; (7-1-21)T
 - c.** Identify areas needing intervention and remediation, and acceleration; (7-1-21)T
 - d.** Assist school districts in evaluating local curriculum and instructional practices in order to make needed curriculum adjustments; (7-1-21)T
 - e.** Inform parents and guardians of their child's progress; (7-1-21)T
 - f.** Provide comparative local, state and national data regarding the achievement of students in essential skill areas; (7-1-21)T
 - g.** Identify performance trends in student achievement across grade levels tested and student growth over time; and (7-1-21)T
 - h.** Help determine technical assistance/consultation priorities for the State Department of Education. (7-1-21)T
- 03. Content.** The comprehensive assessment program will consist of multiple assessments, including, the Idaho Reading Indicator (IRI), the National Assessment of Educational Progress (NAEP), the Idaho English Language Assessment, the Idaho Standards Achievement Tests (ISAT), the Idaho Alternate Assessment, and a college entrance exam. (7-1-21)T
- 04. Testing Population.** All students in Idaho public schools, grades kindergarten through twelve (K-12), are required to participate in the comprehensive assessment program approved by the State Board of Education and funded. (7-1-21)T
- a.** All students who are eligible for special education shall participate in the statewide assessment program. (7-1-21)T
 - b.** Each student's individualized education program team shall determine whether the student shall participate in the regular assessment without accommodations, the regular assessment with accommodations or adaptations, or whether the student qualifies for and shall participate in the alternate assessment. (7-1-21)T
 - c.** Limited English Proficient (LEP) students, as defined in Subsection 112.05.g.iv., may receive designated supports or accommodations, or both, for the ISAT assessment if need has been indicated by the LEP student's Educational Learning Plan (ELP) team. The team shall outline the designated supports or accommodations, or both, in an ELP prior to the assessment administration. Designated supports or accommodations, or both, shall be familiar to the student during previous instruction and for other assessments. LEP students who are enrolled in their first year of school in the United States may take Idaho's English language assessment in lieu of the English language ISAT, but will still be required to take the ISAT (Mathematics and Science). Such LEP students will be counted as participants for the ninety-five percent (95%) participation target, as described in Subsection 112.05.e. However, such LEP students are not required to be counted for accountability purposes as described in Subsection 112.05.i. (7-1-21)T

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

05. Scoring and Report Formats. Scores will be provided for each subject area assessed and reported in standard scores, benchmark scores, or holistic scores. Test results will be presented in a class list report of student scores, building/district summaries, content area criterion reports by skill, disaggregated group reports, and pressure sensitive labels as appropriate. Information about the number of students who are eligible for special education who participate in regular and alternate assessments, and their performance results, shall be included in reports to the public if it is statistically sound to do so and would not disclose performance results identifiable to individual students. (7-1-21)T

a. All students taking the Idaho Standards Achievement Test (ISAT) must have a unique student identifier. (7-1-21)T

b. Districts must send all assessment results and related communication to parents within three (3) weeks of receipt from the state. (7-1-21)T

06. Comprehensive Assessment Program. The State approved comprehensive assessment program is outlined in Subsections 111.06.a. through 111.06.n. Each assessment will be comprehensive of and aligned to the Idaho State Content Standards it is intended to assess. In addition, districts are responsible for writing and implementing assessments in those standards not assessed by the state assessment program. (7-1-21)T

a. Kindergarten - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (7-1-21)T

b. Grade 1 - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (7-1-21)T

c. Grade 2 - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (7-1-21)T

d. Grade 3 - Idaho Reading Indicator, Grade 3 Idaho Standards Achievement Tests in English language usage and mathematics, Idaho Alternate Assessment, Idaho English Language Assessment. (7-1-21)T

e. Grade 4 - National Assessment of Educational Progress, Grade 4 Idaho Standards Achievement Tests in English language usage and mathematics, Idaho Alternate Assessment, Idaho English Language Assessment. (7-1-21)T

f. Grade 5 - Grade 5 Idaho Standards Achievement Tests in English language usage, mathematics, and science; Idaho Alternate Assessment; Idaho English Language Assessment. (7-1-21)T

g. Grade 6 - Grade 6 Idaho Standards Achievement Tests in English language usage and mathematics, Idaho Alternate Assessment, Idaho English Language Assessment. (7-1-21)T

h. Grade 7 - Grade 7 Idaho Standards Achievement Tests in English language usage and mathematics, Idaho Alternate Assessment, Idaho English Language Assessment. (7-1-21)T

i. Grade 8 - National Assessment of Educational Progress; Grade 8 Idaho Standards Achievement Tests in English language usage, mathematics, and science; Idaho Alternate Assessment; Idaho English Language Assessment. (7-1-21)T

j. Grade 9 - High School Idaho Standards Achievement Tests (optional at the discretion of the school district or charter school), Idaho Alternate Assessment, Idaho English Language Assessment. (7-1-21)T

k. Grade 10 - Idaho Alternate Assessment, Idaho English Language Assessment. (7-1-21)T

l. Grade 11 - High School Idaho Standards Achievement Test in English language usage and mathematics, science, Idaho Alternate Assessment, Idaho English Language Assessment, college entrance exam. (

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

)

m. Grade 12 - National Assessment of Educational Progress, Idaho English Language Assessment, and college entrance exam.

(7-1-21)T

07. Comprehensive Assessment Program Schedule.

(7-1-21)T

c. The Idaho Standards Achievement Tests will be administered in the Spring in a time period specified by the State Board of Education.

(7-1-21)T

d. The Idaho Alternate Assessment will be administered in a time period specified by the State Board of Education.

(7-1-21)T

e. Idaho's English Language Assessment will be administered in a time period specified by the State Board of Education.

(7-1-21)T

08. Costs Paid by the State. Costs for the following testing activities will be paid by the state:

(7-1-21)T

a. All consumable and non-consumable materials needed to conduct the prescribed statewide comprehensive assessment program;

(7-1-21)T

b. Statewide distribution of all assessment materials; and

(7-1-21)T

c. Processing and scoring student response forms, distribution of prescribed reports for the statewide comprehensive assessment program.

(7-1-21)T

09. Costs of Additional Services. Costs for any additional administrations or scoring services not included in the prescribed statewide comprehensive assessment program will be paid by the participating school districts.

(7-1-21)T

11. Test Security, Validity and Reliability.

(7-1-21)T

a. Test security is of the utmost importance. To ensure integrity of secure test items and protect validity and reliability of test outcomes, test security must be maintained. School districts will employ security measures in protecting statewide assessment materials from compromise. Each individual who has any opportunity to see test items must sign a state-provided confidentiality agreement, which the district must keep on file in the district for at least two (2) years. Documentation of security safeguards must be available for review by authorized state and federal personnel.

(7-1-21)T

b. Any assessment used for federal reporting shall be independently reviewed for reliability, validity, and alignment with the Idaho Content Standards.

(7-1-21)T

12. Demographic Information. Accurate demographic information must be submitted as required for each test to assist in interpreting test results. It may include but is not limited to race, sex, ethnicity, and special programs, (Title I, English proficiency, migrant status, special education status, gifted and talented status, and socioeconomic status).

(7-1-21)T

13. Dual Enrollment. For the purpose of non-public school student participation in non-academic public school activities as outlined in Section 33-203, Idaho Code, the Idaho State Board of Education recognizes the following:

(7-1-21)T

a. The Idaho Standards Achievement Tests (grades 3-8 and High School).

(7-1-21)T

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

b. A portfolio demonstrating grade level proficiency in at least five (5) of the subject areas listed in Subsections 111.13.b.i. through 111.13.b.vi. Portfolios are to be judged and confirmed by a committee comprised of at least one (1) teacher from each subject area presented in the portfolio and the building principal at the school where dual enrollment is desired. (7-1-21)T

- i. Language Arts/Communications. (7-1-21)T
- ii. Math. (7-1-21)T
- iii. Science. (7-1-21)T
- iv. Social Studies. (7-1-21)T
- v. Health. (7-1-21)T
- vi. Humanities. (7-1-21)T

112. Accountability

School district, charter district and public charter school accountability will be based on multiple measures aimed at providing meaningful data showing progress toward interim and long-term goals set by the State Board of Education for student achievement and school improvement. The state accountability framework will be used to meet both state and federal school accountability requirements and will be broken up by school category and include measures of student academic achievement and school quality as determined by the State Board of Education. (7-1-21)T

01. School Category. (7-1-21)T

a. Kindergarten through grade eight (K-8): Schools in this category include elementary and middle schools as defined in Subsection 112.05.f. (7-1-21)T

b. High Schools, not designated as alternative high schools, as defined in Subsection 112.05.f. (7-1-21)T

c. Alternative High Schools. (7-1-21)T

02. Academic Measures by School Category. (7-1-21)T

a. K-8: (7-1-21)T

- i. Idaho Standards Achievement Tests (ISAT) Proficiency. (7-1-21)T
- ii. ISAT growth toward proficiency based on a trajectory model approved by the State Board of Education. (7-1-21)T
- iii. ISAT proficiency gap closure. (7-1-21)T
- iv. Idaho statewide reading assessment proficiency. (7-1-21)T
- v. English Learners achieving English language proficiency. (7-1-21)T
- vi. English Learners achieving English language growth toward proficiency. (7-1-21)T
- b.** High School: (7-1-21)T
 - i. ISAT proficiency. (7-1-21)T

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

- ii. ISAT proficiency gap closure. (7-1-21)T
- iii. English Learners achieving English language proficiency. (7-1-21)T
- iv. English Learners achieving English language growth toward proficiency. (7-1-21)T
- v. Four (4) year cohort graduation rate, including students who complete graduation requirements prior to the start of the school district or charter schools next fall term. (7-1-21)T
- vi. Five (5) year cohort graduation rate, including students who complete graduation requirements prior to the start of the school district or charter schools next fall term. (7-1-21)T
- c. Alternative High School: (7-1-21)T
 - i. ISAT proficiency. (7-1-21)T
 - ii. English learners achieving English language proficiency. (7-1-21)T
 - iii. English learners achieving English language growth towards proficiency. (7-1-21)T
 - iv. Four (4) year cohort graduation rate, including students who complete graduation requirements prior to the start of the school district or charter schools next fall term. (7-1-21)T
 - v. Five (5) year cohort graduation rate, including students who complete graduation requirements prior to the start of the school district or charter schools next fall term. (7-1-21)T
- 03. School Quality Measures by School Category.** (7-1-21)T
 - a. K-8: (7-1-21)T
 - i. Students in grade 8 enrolled in pre-algebra or higher. (7-1-21)T
 - ii. Chronic Absenteeism ()
 - iii. Communication with parents on student achievement (effective starting in the 2018-2019 school year). (7-1-21)T
 - b. High School: (7-1-21)T
 - i. College and career readiness determined through a combination of students participating in advanced opportunities, earning industry recognized certification, and/or participation in recognized high school apprenticeship programs. (7-1-21)T
 - ii. Chronic Absenteeism ()
 - iii. Students in grade 9 enrolled in algebra I or higher. (7-1-21)T
 - iv. Communication with parents on student achievement (effective starting in the 2018-2019 school year). (7-1-21)T
 - c. Alternative High School: (7-1-21)T
 - i. Credit recovery and accumulation. (7-1-21)T

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

ii. College and career readiness determined through a combination of students participating in advanced opportunities, earning industry recognized certification, and/or participation in recognized high school apprenticeship programs. (7-1-21)T

iii. State satisfaction and engagement survey administered to parents, students, and teachers (effective starting in the 2018-2019 school year). (7-1-21)T

iv. Communication with parents on student achievement (effective starting in the 2018-2019 school year). (7-1-21)T

04. Reporting. Methodologies for reporting measures and determining performance will be set by the State Board of Education. (7-1-21)T

05. Annual Measurable Progress Definitions. For purposes of calculating and reporting progress, the following definitions shall be applied. (7-1-21)T

c. Annual Measurable Progress. (7-1-21)T

ii. The State Department of Education will make determinations for schools and districts each year. Results will be given to the districts at least one (1) month prior to the first day of school. (7-1-21)T

iii. The State Board of Education will set long-term goals and measurements of interim progress targets toward those goals. The baseline for determining measurable student progress will be set by the State Board of Education and shall identify the amount of growth (percentage of students reaching proficiency) required for each intermediate period. (7-1-21)T

d. Full Academic Year (continuous enrollment). (7-1-21)T

i. A student who is enrolled continuously in the same public school from the end of the first eight (8) weeks or fifty-six (56) calendar days of the school year through the state approved spring testing administration period, not including the make-up portion of the test window, will be included in the calculation to determine if the school achieved progress in any statewide assessment used for determining proficiency. A student is continuously enrolled if the student has not transferred or dropped-out of the public school. Students who are serving suspensions are still considered to be enrolled students. (7-1-21)T

ii. A student who is enrolled continuously in the school district from the first eight (8) weeks or fifty-six (56) calendar days of the school year through the state approved spring testing administration period, not including the make-up portion of the test window, will be included when determining if the school district has achieved AYP. (7-1-21)T

iii. A student who is enrolled continuously in a public school within Idaho from the end of the first eight (8) weeks or fifty-six (56) calendar days of the school year through the state approved spring testing administration period, not including the make-up portion of the test window, will be included when determining if the state has achieved progress in any statewide assessment used for determining proficiency. (7-1-21)T

e. Participation Rate. (7-1-21)T

i. Failure to include ninety-five percent (95%) of all students and ninety-five percent (95%) of students in designated subgroups automatically identifies the school as not having achieved measurable progress in ISAT proficiency. The ninety-five percent (95%) determination is made by dividing the number of students assessed on the Spring ISAT by the number of students reported on the class roster file for the Spring ISAT. (7-1-21)T

(1) If a school district does not meet the ninety-five percent (95%) participation target for the current year, the participation rate can be calculated by the most current three (3) year average of participation. (7-1-21)T

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

(2) Students who are absent for the entire state-approved testing window because of medical reasons or are homebound are exempt from taking the ISAT if such circumstances prohibit them from participating. Students who drop out, withdraw, or are expelled prior to the beginning of the final makeup portion of the test window are considered exited from the school. (7-1-21)T

ii. For groups of ten (10) or more students, absences for the state assessment may not exceed five percent (5%) of the current enrollment or two (2) students, whichever is greater. Groups of less than ten (10) students will not have a participation determination. (7-1-21)T

f. Schools. As used in this section, schools refers to any school within a school district or charter district and public charter schools. (7-1-21)T

i. An elementary school includes a grade configuration of grades Kindergarten (K) through six (6) inclusive, or any combination thereof. (7-1-21)T

ii. A middle school is a school that does not meet the definition of an elementary school and contains grade eight (8) but does not contain grade twelve (12). (7-1-21)T

iii. A high school is any school that contains grade twelve (12). (7-1-21)T

iv. An alternative high school is any school that contains grade twelve (12) and meets the requirements of Section 110 of these rules. (7-1-21)T

v. The accountability of public schools without grades assessed by this system (i.e., K-2 schools) will be based on the third grade test scores of the students who previously attended that feeder school. (7-1-21)T

vi. A “new school” for purposes of accountability is a wholly new entity receiving annual measurable progress determinations for the first time, or a school with a significant student population change as a result of schools being combined or geographic boundaries changing, or a result of successful school restructuring sanctioned by the Office of the State Board of Education. (7-1-21)T

g. Subgroups. Scores on the ISAT must be disaggregated and reported by the following subgroups: (7-1-21)T

i. Race/Ethnicity - Black/African American, Asian, Native Hawaiian/Pacific Islander, White, Hispanic/Latino Ethnicity, American Indian/Alaska Native. (7-1-21)T

ii. Economically disadvantaged - identified through the free and reduced lunch program. (7-1-21)T

iii. Students with disabilities - individuals who are eligible to receive special education services through the Individuals with Disabilities Education Act (IDEA). (7-1-21)T

iv. Limited English Proficient - individuals who do not score proficient on the state-approved language proficiency test and meet one (1) of the following criteria: (7-1-21)T

(1) Individuals whose native language is a language other than English; or (7-1-21)T

(2) Individuals who come from environments where a language other than English is dominant; or (7-1-21)T

(3) Individuals who are American Indian and Alaskan natives and who come from environments where a language other than English has had a significant impact on their level of English language proficiency, and who, by reason thereof, have sufficient difficulty speaking, reading, writing, or understanding the English language to deny such individuals the opportunity to learn successfully in classrooms, where the language of instruction is

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

English.

(7-1-21)T

h. **Graduation Rate.** The graduation rate will be based on the rate of the cohort of students entering grade nine (9) during the same academic year and attending or exiting the school within a four (4) year or five (5) year period as applicable to the measure being determined. In determining the graduation cohort the school year shall include the students who complete graduation requirements prior to the start of the school district or charter schools next fall term. School districts may only report students as having graduated if the student has met, at a minimum, the state graduation requirements, pursuant to Section 105, and will not be returning to the school in following years to complete required academic course work. The State Board of Education will establish a target for graduation. All high schools must meet the target or make sufficient progress toward the target each year, as determined by the State Board of Education. The graduation rate will be disaggregated by the subgroups listed in Subsection 112.05.g. (7-1-21)T

i. **Additional Academic Indicator.** The State Board of Education will establish a target for all additional academic and school quality measures. All schools must maintain or make progress toward the additional academic and school quality measure target each year. The additional academic and school quality measure targets will be disaggregated by the subpopulations listed in Subsection 112.05.g. (7-1-21)T

113. (RESERVED)

114. Failure To Meet Annual Measurable Progress.

01. Accountability Measures and Timelines. Accountability measures and timelines will be determined by the state board of education for school districts and schools who fail to meet annual measurable progress. (7-1-21)T

02. Compliance with Federal Law. All schools and local educational agencies in this state shall comply with applicable federal laws governing specific federal grants. (7-1-21)T

a. With respect to schools and local educational agencies in this state that receive federal grants under title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015 (Title I schools), the State Department of Education shall develop procedures for approval by the State Board of Education, consistent with federal law, that describe actions to be taken by local educational agencies and schools in this state in regard to schools that fail to meet interim and long-term progress goals. (7-1-21)T

b. With respect to schools and local educational agencies in this state that do not receive federal grants under Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, such non-Title I schools and local educational agencies shall be required to comply with federal law and state requirements with the procedures relating to failure to meet interim and long-term progress goals as provided in Subsection 114.02.a. of this rule, as if they were Title I schools, except that any provisions relating to the use of federal grants to pay for such expenses shall not be applicable to such non-Title I schools and local educational agencies. In such event, non-title I schools shall be required to fund such compliance costs from general operating funds. (7-1-21)T

03. State Department of Education. With respect to the implementation of duties and responsibilities described under Title I of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015, that are applicable to a state educational agency, the State Department of Education shall perform such duties and responsibilities delegated by the State Board of Education, including, but not limited to, making technical assistance available to local educational agencies that fail to meet interim and long-term goals, and for providing technical assistance, developing improvement plans, and providing for mandatory corrective actions to local educational agencies as required under federal law and state law. (7-1-21)T

117. (RESERVED)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

118. Home School.

Any student not attending a public or private school within the state of Idaho may, as an alternative, receive educational instruction in a home school setting at the direction of the student's parent or guardian. A home schooled student is required to receive such instruction in subjects commonly and usually taught in the public schools of the state of Idaho. (7-1-21)T

119. -- 128. (RESERVED)

131. -- 139. (RESERVED)

140. Workforce Skills.

01. Academic Skill Development. All students will be provided the opportunity to develop their academic skills (i.e., reading, language arts and communication, mathematics, science, social studies) and to develop the skills necessary for entering the workforce, including self-management skills (i.e., ability to plan, self-discipline, respect for authority, ongoing skill improvement), individual and teamwork skills (i.e., personal initiative, working with others), thinking/information skills (i.e., reasoning, problem solving, acquiring and using information) and vocational-technical skills based on the standards of the industry as approved by the State Board of Vocational Education. (7-1-21)T

02. Other Skill Development. Recognizing that students may or may not be active in the workforce, the State Board believes all students should be provided the opportunity to become contributing community and family members. This instruction includes homemaking skills (i.e., nutrition, child development, resource management); balancing work and family responsibilities; and entrepreneurial skills. (7-1-21)T

03. Work-Based Learning Experiences. Work-based learning experiences may be provided as part of the instruction in the school. For students to receive credit, these experiences will include: training plans, training agreements, approved work sites, and supervision by appropriately certificated personnel. If work-based learning experiences are selected, they will be included in the Parent Approved Student Career Pathways Plans. Instruction will be organized to facilitate a successful transition into the workforce and further education. (7-1-21)T

141. -- 159. (RESERVED)

160. Safe Environment And Discipline.

Each school district will have a comprehensive districtwide policy and procedure encompassing the following:

School Climate
Discipline
Student Health
Violence Prevention
Possessing Weapons on Campus
Substance Abuse - Tobacco, Alcohol, and Other Drugs
Suicide Prevention
Student Harassment
Drug-free School Zones
Building Safety including Evacuation Drills

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

Relationship Abuse and Sexual Assault Prevention and Response

Districts will conduct an annual review of these policies and procedures. (See Section 33-1612) (7-1-21)T

161. -- 170. (RESERVED)

171. Gifted And Talented Programs.

01. Definitions. The following definitions apply only to Section 171 of these rules. (7-1-21)T

a. Gifted/talented children. Those students who are identified as possessing demonstrated or potential abilities that give evidence of high performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities Section 33-2001, Idaho Code. (7-1-21)T

03. District Plan. Each school district shall develop and write a plan for its gifted and talented program. The plan shall be submitted to the Department no later than October 15, 2001. The plan shall be updated and submitted every three (3) years thereafter and shall include: (7-1-21)T

a. Philosophy statement. (7-1-21)T

b. Definition of giftedness. (7-1-21)T

c. Program goals. (7-1-21)T

d. Program options. (7-1-21)T

e. Identification procedures. (7-1-21)T

f. Program evaluation. (7-1-21)T

04. Screening. The district's process for identifying gifted and talented students shall include the following steps: (7-1-21)T

a. The district shall screen all potentially gifted and talented students to ensure they have an opportunity to be considered; and (7-1-21)T

b. The district shall assess those students meeting the screening criteria and gather additional information concerning their specific aptitudes and educational needs; and (7-1-21)T

c. The district shall match student needs with appropriate program options. (7-1-21)T

05. Assessment. Placement decisions shall not be determined by a single criterion (for instance, test scores, other measurement, teacher recommendation, or nomination). The district's identification process shall use multiple indicators of giftedness with information obtained through the following methods and sources: (7-1-21)T

a. Procedures for obtaining information about students shall include formal assessment methods, such as group and individual tests of achievement, general ability, specific aptitudes and creativity. (7-1-21)T

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

b. Procedures for obtaining information about students shall also include informal assessment methods, such as checklists, rating scales, pupil product evaluations, observations, nominations, biographical data, questionnaires, interviews and grades. (7-1-21)T

c. Information about students shall be obtained from multiple sources, such as teachers, counselors, peers, parents, community members, subject area experts, and the students themselves. (7-1-21)T

172. -- 199. (RESERVED)

200. K-12 Idaho Content Standards.

As stated in Subsection 105.02 of these Thoroughness rules, all students graduating from Idaho public high schools must meet locally established content standards. The standards set forth in Section 004 of this rule are state content standards that shall be the minimum standards used by every school district in the state in order to establish a level of academic content necessary to graduate from Idaho's public schools. Each school district may set standards more rigorous than these state content standards but no district shall use any standards less rigorous than those set forth in these Thoroughness rules. (7-1-21)T

201. -- 999. (RESERVED)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

08.02.04 – Rules Governing Public Charter Schools

000. Legal Authority.

In accordance with Sections 33-105, 33-5203, and 33-5210(4)(e), Idaho Code, the Board is authorized to promulgate rules implementing the provisions of Title 33, Chapter 52, Idaho Code. ()

001. Scope.

These rules establish a consistent application and review process for the approval and maintenance of public charter schools in Idaho. ()

002. (RESERVED)

003. Administrative Appeals.

The provisions found in Sections 400 through 404, of these rules, govern administrative appeals of public charter schools. ()

004. -- 009. (RESERVED)

010. Definitions.

01. Authorizer Fee. Fee paid by each public charter school to its authorized chartering entity. ()

02. Board. Means the Idaho State Board of Education. ()

03. Commission. Means the Idaho Public Charter School Commission, as provided by Section 33-5213, Idaho Code. ()

04. Department. Means the Idaho Department of Education. ()

05. Institution. For the purpose of this section, Institution means an Idaho public college, university of community college, or a private, nonprofit Idaho-based, nonsectarian college or university that is accredited by the same organization that accredits Idaho public colleges and universities. ()

06. Petitioners. Means the group of persons who submit a petition to establish a new public charter school, or to convert an existing traditional public school to a public charter school, as provided by Section 33-5205, Idaho Code, and the procedures described in Sections 200 through 205 of these rules. ()

07. School Year. Means the period beginning on July 1 and ending the next succeeding June 30 of each year. ()

011. -- 099. (RESERVED)

100. Limitations On New Public Charter Schools.

01. Responsibilities of Petitioners on Approval of Charter. Upon the approval of a new public charter school by an authorized chartering entity, the petitioners shall provide the Board with written notice of such approval. The authorized chartering entity of the public charter school shall provide the Board with copies of the charter and any charter revisions upon request. ()

02. Authorization to Begin Educational Instruction. The public charter schools authorized to begin educational instruction during a given school year shall be those public charter schools that have received approval from their authorized chartering entities to begin educational instruction during such school year. A public charter school that is approved by an authorized chartering entity, but which does not begin educational instruction must

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

confirm with the Board, on or before March 1 preceding the next succeeding school year, that it is able to begin educational instruction during such school year. ()

101. Authorized Chartering Entity.

01. Institution. An institution shall receive approval from their governing board prior to authorizing any charter schools. ()

a. Petitions shall be submitted to the president of the institution or his designee. ()

b. An institution may approve or deny a petition. ()

c. Notwithstanding Sections 400 through 404, of these rules, denial of a new petition by an institution is final. A petitioner may submit a petition that has been denied by an institution to any authorized chartering entity. ()

102. Authorizer Fee.

01. Notification. It is the responsibility of each authorizer to notify the Department if the authorizer fee has not been received by the date specified in Section 33-5208, Idaho Code. ()

a. The authorizer must provide notification of the delinquent fee to the charter school prior to reporting to the Department. ()

b. The authorizer must provide the amount delinquent and proof of notification to the charter school within thirty (30) days of the non-payment of the authorizer fee. ()

c. The Department shall withhold the amount of the delinquent fee from the next scheduled release of funds to the charter school. The funds will be withheld until the Department has received notification from the authorizer that the authorizer fee has been paid in full. ()

103. -- 199. (RESERVED)

200. Procedure For Formation Of A New Public Charter School.

01. Assistance with Petitions. The Department shall, in accordance with Section 33-5211, Idaho Code, provide technical assistance to public charter school petitioners. The Department shall undertake this statutory responsibility by conducting public charter school workshops, as discussed in Subsection 200.02 of this rule. ()

02. Public Charter School Workshops. The purpose of the public charter school workshops shall be to provide public charter school petitioners with a brief overview of a variety of educational and operational issues relating to public charter schools, as well as to answer questions and to provide technical assistance, as may be necessary, to aid petitioners in the preparation of public charter school petitions. ()

03. Petition Submittal. A public charter school petition may be submitted to only one (1) authorized chartering entity at a time. A petitioner may submit a petition that has been denied by an authorized chartering entity to any other authorized chartering entity after an appeal process, if any, is complete and a final decision has been reached. ()

201. Policies And Procedures Adopted By An Authorized Chartering Entity.

An authorized chartering entity may adopt its own charter school policies and procedures describing the charter school petition process and the procedures that petitioners must comply with in order to form a new public charter school, including a public virtual school. Petitioners must comply with the charter school policies and procedures adopted by the authorized chartering entity with which a petition is submitted. Such charter school policies and procedures must

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

comply with Title 33, Chapter 52, Idaho Code, and the rules promulgated by the Board. If there is any conflict between the charter school policies and procedures adopted by an authorized chartering entity and rules promulgated by the Board, then the Board rules shall govern. ()

202. New Public Charter School Application Requirements.

Pursuant to Section 33-5205, Idaho Code, petitioners seeking to establish a new public charter school must complete an application consisting of all of the following elements: ()

01. Introduction. Briefly introduce the proposed public charter school by providing the following: ()

a. Cover page with the proposed school's name, intended opening year, general location, and the contact information for one (1) petitioner who will serve as liaison with the authorizer during the petition process; ()

b. Table of contents; ()

c. One-page (1) executive summary describing the proposed school's organizational structure, educational program, and student outcome expectations; and ()

d. Mission statement. ()

02. Educational Program. Describe the proposed school's educational program by explaining the following: ()

a. Educational philosophy; ()

b. Student academic achievement standards and any additional goals and methods for measuring achievement; ()

c. Key educational design elements, including curricula, tools and instructional methods identified to carry out the educational philosophy and meet academic and mission-specific goals, which may include evidence demonstrating efficacy of these elements; and ()

d. Strategies for meeting the needs of specific student populations, including, but not limited to, at-risk students, special education students, English language learners, and gifted students. ()

03. Financial and Facilities Plan. Demonstrate a sound understanding of public charter school finances and facilities needs. ()

a. State whether the school intends to provide transportation or food service, and provide plans for provision of these services if they will be offered; ()

b. Describe how the school's finances will be managed and monitored; ()

c. Provide a working draft of the school's prospective facilities plan, including likely facilities needs and estimated costs; ()

d. Provide a description of any potential facilities that have been identified and a timeline and process for securing appropriate space; and ()

e. Attach the following to Appendix A: Pre-opening budget and three-year operating budget, including detailed assumptions for all revenue and expenditures for each year; year one (1), break-even budget demonstrating the minimum enrollment needed to achieve a zero (0) or marginal net income balance at the end of the year; cash flow projection for the first operational year, demonstrating an understanding of charter school monetary flow; evidence of

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

existing and anticipated funds; and evidence that projected facilities costs are reasonable within the start-up and three-year budgets. ()

04. Board Capacity And Governance Structure. Provide information about the legal entity and the individuals involved in opening the proposed school. ()

a. Attach copies of the nonprofit corporation's Articles of Incorporation and Corporate Bylaws to Appendix B, though note that they will not be incorporated as part of the school's charter; ()

b. Provide a description of the governance structure; ()

c. List any already identified members of the board of directors, attach their professional resumes to Appendix C, and provide any additional information about their qualifications; ()

d. Describe the board's plan for a smooth transition from initial founding members to subsequent members; and ()

e. Describe the plan for board member recruitment and training. ()

05. Student Demand and Primary Attendance Area. Demonstrate the need and community demand for the proposed public charter school in the selected location. ()

a. Describe the primary attendance area and list the public school districts that overlap this area; ()

b. Clearly articulate the need and demand for a school in the selected location, including demographics for the intended neighborhood. Need is the reason(s) existing schools are insufficient or inadequate and includes state performance data. Demand is evidence of desire from prospective families to attend the school; ()

c. Describe the population of students the proposed school intends to serve and how the selected location supports serving such students; ()

d. Provide the target enrollment by grade level and projected growth over five (5) years; ()

e. Describe any community partnerships or other local support for the proposed school; and ()

f. Describe strategies for informing under-served students and their families about the prospective school and the enrollment process. ()

06. School Leadership and Management. Describe the proposed school's administrative leadership structure, and provide information about any potential education service providers. ()

a. Attach an organizational chart to Appendix D illustrating the proposed school's leadership structure and indicating the reporting structures of school leaders to the board. If school leaders have already been identified, include their names, contact information, resumes, and any additional information about their qualifications in the appendices. ()

b. Describe the responsibilities of and relationships among school leadership, the governing board, instructional leaders, and staff, and include a plan for evaluating school leaders. ()

c. If the proposed school intends to work with an educational service provider, provide the name of the company, a contact within the company, and specify in detail the extent of the entity's participation in the management and operation of the school. Attach the following to Appendix E: ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

i. A term sheet indicating the fees to be paid by the proposed school to the management company, the length of the proposed contract, the terms for the contracts renewal, and provisions for termination; ()

ii. Copies of the two (2) most recent contracts that the entity has executed with operating charter schools; and ()

iii. A detailed description of the education service provider's relationship to the school's board of directors; ()

iv. A detailed description of how and why the management organization or educational service provider was selected, and evidence that the organization provides high-quality service to similarly situated schools, if applicable. ()

07. Supporting Documents. ()

a. Appendix A – Budgets, cash flow, additional funds. ()

b. Appendix B – Articles of Incorporation and Bylaws. ()

c. Appendix C – Board of Directors. ()

d. Appendix D – School Administration. ()

e. Appendix E – Education Service Provider. ()

f. Appendix F – Optional additional supporting documents. ()

203. Admission Procedures.

01. Model Admission Procedures. All public charter schools must have an admission procedure approved by their authorized chartering entity, which complies with Section 33-5206(11), Idaho Code, and Section 203 of this rule. In order to ensure that public charter schools utilize a fair and equitable selection process for initial admission to and enrollment in a public charter school, as well as admission to and enrollment in a public charter school during subsequent school years, the Board has approved model admission procedures that may be utilized and adopted by petitioners. The approved model admission procedures are described in Subsections 203.03 through 203.12 of these rules. Petitioners are not required to adopt the Board's model admission procedures, but must demonstrate a reason for varying from the Board's approved procedures. ()

02. Enrollment Opportunities. Charter holders shall ensure that citizens in the primary attendance area shall be made aware of the enrollment opportunities of the public charter school. Such process shall include the dissemination of enrollment information, taking into consideration the language demographics of the attendance area, at least three (3) months in advance of the enrollment deadline established by the public charter school each year, to be posted in highly visible and prominent locations within the area of attendance of the public charter school. In addition, petitioners shall ensure that such process includes the dissemination of press release or public service announcements, to media outlets that broadcast within, or disseminate printed publications within, the area of attendance of the public charter school; petitioners must ensure that such announcements are broadcast or published by such media outlets on not less than three (3) occasions, beginning not later than fourteen (14) days prior to the enrollment deadline each year. Finally, such enrollment information shall advise that all prospective students will be given the opportunity to enroll in the public charter school, regardless of race, color, national or ethnic origin, religion, gender, social or economic status, or special needs. ()

03. Enrollment Deadline. Each year a public charter school shall establish an enrollment admissions deadline, which shall be the date by which all written requests for admission to attend the public charter school for the next school year must be received. The enrollment deadline cannot be changed once the enrollment information is disseminated as required by Subsection 203.02. ()

04. Requests for Admission. A parent, guardian, or other person with legal authority to make decisions regarding school attendance on behalf of a child in this state, may make a request in writing for such child to attend a public charter school. In the case of a family with more than one (1) child seeking to attend a public charter school, a single written request for admission must be submitted on behalf of all siblings. The written request for admission must be submitted to, and received by, the public charter school at which admission is sought on or before the enrollment deadline established by the public charter school. The written request for admission shall contain the name, grade level, address, and telephone number of each prospective student in a family. If the initial capacity of the public charter school is insufficient to enroll all prospective students, then an equitable selection process, such as a lottery or other random method, shall be utilized to determine which prospective students will be admitted to the public charter school, as described in Subsection 203.09 of this rule. Only those written requests for admission submitted on behalf of prospective students that are received prior to the enrollment deadline established by the public charter school shall be permitted in the equitable selection process. Only written requests for admission shall be considered by the public charter school. Written requests for admission received after the established enrollment deadline will be added to the bottom of the waiting list for the appropriate grade. If there is an opening in one grade, a sibling, if any, from a late submitted application must go to the bottom of the sibling list.

()

05. Admission Preferences. A public charter school shall establish an admission preference for students residing in the attendance area of the public charter school, as provided in Section 33-5206, Idaho Code. In addition, a public charter school may establish additional admission preferences, as authorized by Section 33-5206(11), Idaho Code.

()

06. Proposed Attendance List for Lottery. Each year the public charter school shall create an attendance list containing the names of all prospective students on whose behalf a written request for admission was timely received by the public charter school, separated by grade level. In addition, the proposed attendance list shall contain columns next to the name of each student, in which the public charter school will designate admission preferences applicable to each prospective student. The columns shall be designated "A" for returning student preference; "B" for founders preference; "C" for sibling preference, with a corresponding cross-reference to each of the siblings of the prospective student; and "D" for attendance area preference.

()

07. Equitable Selection Process. If the initial capacity of a public charter school is insufficient to enroll all prospective students, or if capacity is insufficient to enroll all prospective students in subsequent school years, then the public charter school shall determine the students who will be offered admission to the public charter school by conducting a fair and equitable selection process. The selection procedure shall be conducted as follows:

()

a. The name of each prospective student on the proposed attendance list shall be individually affixed to or written on a three by five (3 x 5) inch index card. The index cards shall be separated by grade. The selection procedure shall be conducted one (1) grade level at a time, with the order for each grade level selected randomly. The index cards containing the names of the prospective students for the grade level being selected shall be placed into a single container. ()

b. A neutral, third party shall draw the grade level to be completed first and then draw each index card from the container for that grade level, and such person shall write the selection number on each index card as drawn, beginning with the numeral "1" and continuing sequentially thereafter. In addition, after selecting each index card, the name of the person selected will be compared to the proposed attendance list to determine whether any preferences are applicable to such person. ()

c. If the name of the person selected is a returning student, then the letter "A" shall be written on such index card. If the name of the person selected is the child of a founder, the letter "B" shall be written on such index card. If the name of the person selected is the sibling of another student that has already been selected for admission to the public charter school, then the letter "C" shall be written on such index card. If the name of the person selected resides in the attendance area of the public charter school, then the letter "D" shall be written on such index card. ()

d. With regard to the sibling preference, if the name of the person selected has a sibling who has already been selected, but the person previously selected did not have the letter “C” written on his or her index card (because a sibling had not been selected for admission prior to the selection of the index card of that person), then the letter “C” shall now be written on that person’s index card at this time. ()

e. With regard to the founder’s preference, a running tally shall be kept during the course of the selection procedure of the number of index cards, in the aggregate, that have been marked with the letter “B.” When the number of index cards marked with the letter “B” equals ten percent (10%) of the proposed capacity of the public charter school for the school year at issue, then no additional index cards shall be marked with the letter “B,” even if such person selected would otherwise be eligible for the founders preference. ()

f. After all index cards have been selected for each grade, then the index cards shall be sorted for each grade level in accordance with the following procedure. All index cards with the letter “A” shall be sorted first, based on the chronological order of the selection number written on each index card; followed by all index cards with the letter “B,” based on the chronological order of the selection number written on each index card; followed by all index cards with the letter “C,” based on the chronological order of the selection number written on each index card; followed by all index cards with the letter “D,” based on the chronological order of the selection number written on each index card; followed, finally, by all index cards containing no letters, based on the chronological order of the selection number written on each index card. ()

g. After the index cards have been drawn and sorted for all grade levels, the names shall be transferred by grade level, and in such order as preferences apply, to the final selection list. ()

08. Final Selection List. The names of the persons in highest order on the final selection list shall have the highest priority for admission to the public charter school in that grade, and shall be offered admission to the public charter school in such grade until all seats for that grade are filled. ()

09. Notification and Acceptance Process. ()

a. With respect to students selected for admission to the public charter school, within seven (7) days after conducting the selection process, the public charter school shall send an offer letter to the parent, guardian, or other person who submitted a written request for admission on behalf of a student, advising such person that the student has been selected for admission to the public charter school. The offer letter must be signed by such student’s parent, or guardian, and returned to the public charter school by the date designated in such offer letter by the public charter school. ()

b. With respect to a prospective student not eligible for admission to the public charter school, within seven (7) days after conducting the selection process, the public charter school shall send a letter to the parent, guardian, or other person who submitted a request for admission on behalf of such student, advising such person that the prospective student is not eligible for admission, but will be placed on a waiting list and may be eligible for admission at a later date if a seat becomes available. ()

c. If a parent, guardian, or other person receives an offer letter on behalf of a student and declines admission, or fails to timely sign and return such offer by the date designated in such offer letter by the public charter school, then the name of such student will be stricken from the final selection list, and the seat that opens in that grade will be made available to the next eligible student on the final selection list. ()

d. If a student withdraws from the public charter school during the school year for any reason, then the seat that opens in that grade will be made available to the next eligible student on the final selection list. ()

10. Subsequent School Years. The final selection list for a given school year shall not roll over to the next subsequent school year. If the capacity of the public charter school is insufficient to enroll all prospective students during the next subsequent school year, then a new equitable selection process shall be conducted by the public charter

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

school for such school year. ()

204. (RESERVED)

205. Review Of Petitions.

01. If Denied, Petitioners May Appeal. ()

a. If a petition is denied, then the authorized chartering entity must promptly prepare for petitioners a written notice of its decision to deny the charter. The written decision shall include all of the reasons for the denial, and shall also include a reasoned statement that states or explains the criteria and standards considered relevant by the authorized chartering entity, the relevant contested facts relied upon, and the rationale for the decision based on the applicable statutory provisions and factual information presented to the authorized chartering entity. ()

b. Petitions submitted to a local board of trustees of a school district or the public charter school commission may be appealed. The petitioners may appeal the decision of the authorized chartering entity, in accordance with the procedures described in Sections 401 through 402 of these rules. ()

206. -- 299. (RESERVED)

300. Public Charter School Responsibilities.

01. General. The governing board of a public charter school shall be responsible for ensuring that the public charter school is adequately staffed, and that such staff provides sufficient oversight over all public charter school operational and educational activities. In addition, the governing board of a public charter school shall be responsible for ensuring that the school complies with all applicable federal and state education standards, as well as all applicable state and federal laws, rules and regulations, and policies. ()

02. Compliance with Terms of Performance Certificate. The governing board of a public charter school shall be responsible for ensuring that the school is in compliance with the terms and conditions of the performance certificate approved executed in accordance with Section 33-5205B(1), Idaho Code. ()

03. Annual Reports. The governing board of a public charter school must submit an annual audit of the fiscal operations as required in Section 33-5206(7), Idaho Code. An authorized chartering entity may reasonably request that a public charter school provide additional information to ensure that the public charter school is meeting the terms of its performance certificate. ()

04. Operational Issues. The governing board of the public charter school shall be responsible for promptly notifying its authorized chartering entity if it becomes aware that the public charter school is not operating in compliance with the terms and conditions of its performance certificate. Thereafter, the governing board of the public charter school shall also be responsible for advising its authorized chartering entity with follow-up information as to when, and how, such operational issues are finally resolved and corrected. ()

05. Articles of Incorporation and Bylaws. The governing board of the public charter school shall be responsible for promptly notifying its authorized chartering entity of any revisions or amendments to the articles of incorporation or bylaws. ()

301. Authorized Chartering Entity Responsibilities.

01. Monitoring. Notwithstanding Section 300 of these rules, the authorized chartering entity of a public charter school shall be responsible for monitoring the public charter school's operations in accordance with all of the terms and conditions of the performance certificate. ()

02. Performance Certificate Review. Pursuant to Section 33-5209B, Idaho Code, an authorized chartering entity may renew or nonrenew a charter for a term of five (5) years following the initial three-year term.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

Should a chartering entity take no action to renew or nonrenew the charter, and the charter school has met all of the existing performance certificate targets, the charter school shall be provisionally renewed until such time as the chartering entity takes action. The five-year term of the renewed charter shall be based on the provisional renewal date. ()

302. Charter Revisions.

The governing board of a public charter school may reasonably request revisions to an approved charter or performance certificate, as authorized by Section 33-5206(8), Idaho Code. ()

01. Request for Revision of Charter or Performance Certificate. The governing board of a public charter school that desires to revise its charter or performance certificate must submit a written request and the proposed revisions to the public charter school's authorized chartering entity. ()

02. Procedure for Reviewing Request for Charter or Performance Certificate Revision. The authorized chartering entity shall have seventy-five (75) days from the date of receipt of the written request and proposed revisions in which to issue its decision on the request for charter or performance certificate revision. The authorized chartering entity shall consider the request for charter or performance certificate revision at its next regular meeting following the date of receipt of the written request and proposed revisions, provided that the request and proposed revisions are submitted no fewer than thirty (30) days in advance of that meeting. If permitted by applicable policies and procedures adopted by the authorized chartering entity, the review of a request for a charter or performance certificate revision may be delegated to appropriate staff employed by the authorized chartering entity. An authorized chartering entity may, but is not required to, conduct a public hearing to consider the request for charter or performance certificate revision. ()

03. Approval of Proposed Charter or Performance Certificate Revision. If the authorized chartering entity approves the proposed charter or performance certificate revision, a copy of such revision shall be executed by each of the parties to the charter or performance certificate and shall be treated as either a supplement to, or amendment of, the final approved charter or performance certificate, whatever the case may be. ()

04. Denial of Proposed Charter or Performance Certificate Revision. If the proposed revision is denied, then the authorized chartering entity must prepare a written notice of its decision denying the request for charter or performance certificate revision. The decision to deny a request for a charter or performance certificate revision shall contain all of the reasons for the decision. The public charter school may appeal the decision denying the request for charter or performance certificate revision to the Board. The provisions of Section 403 of these rules shall govern the appeal. ()

303. Revocation.

An authorized chartering entity may revoke a charter in accordance with the procedure described in this Section 303 of this rule if a public charter school has failed to meet any of the specific, written conditions for necessary improvements established pursuant to the provisions of Section 33-5209B(1), Idaho Code, by the dates specified. ()

01. Written Notice of Intention to Revoke Charter. The authorized chartering entity must provide the public charter school with reasonable notice of the authorized chartering entity's intent to revoke the charter, which shall be in writing and must include all of the reasons for such proposed action. In addition, such notice shall provide the public charter school with a reasonable opportunity to reply, which shall not be less than thirty (30) days after the date of such notice. ()

02. Public Hearing. The authorized chartering entity shall conduct a public hearing with respect to its intent to revoke a charter. Such hearing shall be held no later than thirty (30) days after receipt of such written reply. If the public charter school does not reply by the date set in the notice, then such hearing shall be held no later than sixty (60) days after the date the notice was sent by the authorized chartering entity. ()

a. Written notification of the hearing shall be sent to the public charter school at least ten (10) days in advance of the hearing. ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

b. The public hearing shall be conducted by the authorized chartering entity, or such other person or persons appointed by the authorized chartering entity to conduct public hearings and receive evidence as a contested case in accordance with Section 67-5242, Idaho Code. ()

03. Charter Revocation. If the authorized chartering entity determines that the public charter school has failed to meet any of the specific written conditions for necessary improvements established pursuant to the provisions of Section 33-520B(1), Idaho Code, by the dates specified, then the authorized chartering entity may revoke the charter. Such decision may be appealed to the Board. The provisions of Section 403 of these rules shall govern the appeal. ()

304. -- 399. (RESERVED)

400. Appeals.

The following actions relating to public charter schools may be appealed to the Department or to the Board, as applicable, in accordance with the procedures described in Sections 401 through 403 of these rules: ()

01. Denial of New Petition. The denial by an authorized chartering entity of a petition to form a new public charter school, as authorized by Section 33-5207, Idaho Code. ()

02. Approval of Conversion Petition. The approval of a petition by an authorized chartering entity to convert a traditional public school to a public charter school over the objection of thirty (30) or more persons or employees of the local school district, as authorized by Section 33-5207, Idaho Code. ()

03. Denial of Charter or Performance Certificate Revision. The denial by the authorized chartering entity of a public charter school of a request to revise a charter or performance certificate, as authorized by Section 33-5206(8), Idaho Code. ()

04. Revocation. A decision of an authorized chartering entity to revoke a charter, as authorized by Section 33-5209C(7), Idaho Code. ()

401. Appeal To The Department Of A Decision Relating To The Formation Of A New Or Conversion Public Charter School.

The denial of a petition to form a new public charter school, or the granting of a petition to form a conversion public charter school over the objection of thirty (30) or more persons or employees of the local school district, may be appealed to the Department, as provided by Section 33-5207(1), Idaho Code. The following procedures shall govern such appeals. ()

01. Submission of Appeal. To institute an appeal, the petitioners/appellants shall submit a notice of appeal and request for public hearing in writing to the Department that describes, in detail, all of the grounds for the appeal, and the remedy requested, within thirty (30) days from the date of the decision of the authorized chartering entity that reviewed the petition. A copy of the notice of appeal shall be submitted to the authorized chartering entity, and with the Board. In addition, contemporaneous with the submission of the notice of appeal, the petitioners/appellants shall also submit to the Department two (2) copies of the complete record of all actions taken with respect to the consideration of the public charter school petition. The record must be in chronological order and must be appropriately tabbed and indexed. The record must contain, at a minimum, all of the following documents: ()

a. The name, address, and telephone number of the person or persons submitting the appeal on behalf of petitioners/appellants, as well as the authorized chartering entity that issued the decision being appealed. ()

b. The complete petition that was submitted to the authorized chartering entity, including any amendments thereto or supplements thereof. ()

c. Copies of audio or video recordings, if any, and the minutes from all meeting(s) where the petition

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

was considered or discussed. ()

d. All correspondence between the petitioners/appellants and the authorized chartering entity relating to the petition from the date the original petition was submitted until the date the authorized chartering entity issued the decision being appealed. ()

e. The written decision provided by the authorized chartering entity to the petitioner. A copy of such notice of appeal shall be submitted to the authorized chartering entity whose decision is being appealed, and to the Board. ()

02. Hearing Officer. The Department shall hire a hearing officer to review the action of the authorized chartering entity and to conduct a public hearing, pursuant to Section 67-5242, Idaho Code. The Department shall forward to the hearing officer one (1) copy of the record provided by petitioners/appellants and attached to the notice of appeal within ten (10) business days of receipt. ()

03. Public Hearing. A public hearing to review the decision of the authorized chartering entity shall be conducted within thirty (30) days after the hearing officer receives the notice of appeal and request for a public hearing submitted to the Department. ()

04. Notice of Hearing. All parties in an appeal shall be notified of a public hearing at least ten (10) days in advance, or within such time period as may be mandated by law. The notice shall identify the time, place, and nature of the hearing; a statement of the legal authority under which the hearing is to be held; the particular sections of the statutes and any rules involved; the issues involved; and the right to be represented. The notice shall identify how and when documents for the hearing will be provided to all parties. ()

05. Prehearing Conference. The hearing officer may, upon written or other sufficient notice to all interested parties, hold a prehearing conference to formulate or simplify the issues; obtain admissions or stipulations of fact and documents; identify whether there is any additional information that had not been presented to the authorized chartering entity; arrange for exchange of any proposed exhibits or prepared expert testimony; limit the number of witnesses; determine the procedure at the hearing; and to determine any other matters which may expedite the orderly conduct and disposition of the proceeding. ()

06. Hearing Record. The hearing shall be recorded unless a party requests a stenographic recording by a certified court reporter, in writing, at least seven (7) days prior to the date of the hearing. Any party requesting a stenographic recording by a certified court reporter shall be responsible for the costs of same. Any party may request that a transcript of the recorded hearing be prepared, at the expense of the party requesting such transcript, and prepayment or guarantee of payment may be required. Once a transcript is requested, any party may obtain a copy at the party's own expense. ()

07. Hearing Officer's Recommendation. The hearing officer shall issue a recommendation within ten (10) days after the date of the hearing. The recommendation shall include specific findings on all major facts at issue; a reasoned statement in support of the recommendation; all other findings and recommendations of the hearing officer; and a recommendation affirming or reversing the decision of the authorized chartering entity. The hearing officer shall mail or deliver a copy of the recommendation to the Department, the petitioners/appellants, and the authorized chartering entity. ()

08. Review of Recommendation by Authorized Chartering Entity. ()

a. The authorized chartering entity shall hold a public hearing to review the recommendation of the hearing officer within thirty (30) days of receipt of the recommendation. ()

b. Written notification of the scheduled public hearing shall be sent by the authorized chartering entity to the petitioners/appellants at least ten (10) days prior to the scheduled hearing date. ()

c. The authorized chartering entity shall make a final decision to affirm or reverse its initial decision

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

within ten (10) days after the date the public hearing is conducted. ()

09. Reversal of Initial Decision. ()

a. If the authorized chartering entity reverses its initial decision and denies the conversion of a traditional public school to a public charter school, then that decision is final and there shall be no further appeal. ()

b. If the authorized chartering entity reverses its initial decision and approves the new public charter school, then the charter shall be granted and there shall be no further appeal. ()

10. Affirmation of Initial Decision. ()

a. If the authorized chartering entity affirms its initial decision to authorize the conversion of a traditional public school to a public charter school, then the charter shall be granted and there shall be no further appeal. ()

b. If the authorized chartering entity affirms its initial decision and denies the grant of a new public charter school, then the petitioners/appellants may appeal such final decision further to the Board in accordance with the procedure described in Section 402 of these rules. ()

402. Appeal To The Board Relating To The Denial Of A Request To Form A New Public Charter School.
The following procedures shall govern an appeal to the Board of the final decision of an authorized chartering entity relating to the denial of a petition to form a new public charter school. ()

01. Submission of Appeal. The petitioners/appellants shall submit a notice of appeal in writing with the Board that describes, in detail, all of the grounds for the appeal, and the remedy requested, within twenty-one (21) days from the date the authorized chartering entity issues its final decision to deny a petition to form a new public charter school. A copy of the notice of appeal shall be submitted to the authorized chartering entity. In addition, contemporaneous with the submission of the notice of appeal, the petitioners/appellants shall also submit to the Board, two (2) copies of a complete record of all actions taken with respect to the consideration of the public charter school petition. The record must be in chronological order, must be tabbed and indexed, and must contain, at a minimum, the following documents: ()

a. The complete record submitted to the Department, as provided in Subsection 401.01.a. through 401.01.e. of these rules. ()

b. A transcript, prepared by a neutral person whose interests are not affiliated with a party to the appeal, of the recorded public hearing conducted by the hearing officer, as described in Subsection 401.06 of these rules. ()

c. A copy of the hearing officer's recommendation. ()

d. Copies of audio or video recordings, if any, and the minutes of the public hearing conducted by the authorized chartering entity to consider the recommendation of the hearing officer, as described in Subsection 401.08.a. through 401.08.c. of these rules. ()

e. Copies of any additional correspondence between the petitioners/appellants and the authorized chartering entity relating to the petition subsequent to the public hearing conducted by the Department. ()

f. The final written decision provided by the authorized chartering entity to the petitioners/appellants. ()

02. Public Hearing. A public hearing to review the final decision of the authorized chartering entity

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

shall be conducted within a reasonable time from the date that the Board receives the notice of appeal, but not later than sixty (60) calendar days from such date. The public hearing shall be for the purpose of considering all of the materials in the record that were presented at prior proceedings. However, new evidence, testimony, documents, or materials that were not previously considered at prior hearings on the matter may be accepted or considered, in the sole reasonable discretion of the Board, or of the charter appeal committee or public hearing officer, as described in Subsection 402.04 of this rule. ()

03. Notice of Hearing. All parties in an appeal shall be notified of a public hearing at least ten (10) days in advance, or within such time period as may be mandated by law. The notice shall identify the time and place of the hearing; a statement of the legal authority under which the hearing is to be held; the particular sections of the statutes and any rules involved; the issues involved; and the right to be represented. The notice shall identify how and when documents for the hearing will be provided to all parties. ()

04. Appointment of Charter Appeal Committee or Public Hearing Officer. The Board may, in its reasonable discretion, determine to appoint a charter appeal committee, composed solely of Board members, or a combination of Board members and Board staff, or alternatively, to appoint a public hearing officer, for the purpose of conducting the public hearing. If the Board determines not to make such an appointment, then the Board shall conduct the public hearing. ()

05. Recommended Findings. If the public hearing is conducted by a charter appeal committee or appointed public hearing officer, then such committee or appointed public hearing officer shall forward to the Board all materials relating to the hearing as soon as reasonably practicable after the date of the public hearing. If so requested by the Board, the entity conducting the public hearing may prepare recommended findings for the Board to consider. The recommended findings shall include specific findings on all major facts at issue; a reasoned statement in support of the recommendation; all other findings and recommendations of the charter appeal committee or public hearing officer; and a recommended decision affirming or reversing the decision of the authorized chartering entity, or such other action recommended by the charter appeal committee or public hearing officer, such as remanding the matter back to the authorized chartering entity, or redirecting the petition to another authorized chartering entity. A copy of the recommended findings shall be mailed or delivered to all the parties. ()

06. Final Decision and Order by the Board. The Board shall consider the materials forwarded by the entity conducting the public hearing, including any recommended findings of the charter appeal committee or appointed public hearing officer, as may be applicable, in a meeting open to the public at the next regularly scheduled meeting of the Board that occurs after the public hearing. If the public hearing was not conducted by the Board, then the Board may allow representatives for both the petitioner/appellant and the authorized chartering entity an opportunity to deliver oral arguments to the Board advocating their respective positions, limited to thirty (30) minutes for each party. Whether the public hearing is conducted by the Board or by a charter appeal committee, the Board shall issue a final written decision on such appeal within sixty (60) days from the date of the public hearing. The final decision and order of the Board shall be sent to both the petitioners/appellants and the authorized chartering entity, and will not be subject to reconsideration. With respect to such written decision, the Board may take any of the following actions: ()

a. Approve the charter, if the Board determines that the authorized chartering entity failed to appropriately consider the charter petition, or if it acted in an arbitrary manner in denying the request. In the event the Board approves the charter, the charter shall operate under the jurisdiction of the Commission, as provided by Section 33-5207(6), Idaho Code. ()

b. Remand the petition back to the authorized chartering entity for further consideration with directions or instructions relating to such further review. If the authorized chartering entity further considers the matter and again denies the petition, then that decision is final and there shall be no further appeal. ()

c. Redirect the petition for consideration by the Commission, if the appeal is regarding a denial decision made by the board of trustees of a local school district. ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

- d. Deny the appeal submitted by the petitioners/appellants. ()

403. Appeal Relating To The Denial Of A Request To Revise A Charter Or Performance Certificate Or A Charter Non-Renewal Or Revocation Decision.

The following procedures shall govern an appeal relating to the denial of a request to revise a charter or a charter non-renewal or revocation decision. ()

01. Submission of Appeal. The public charter school shall submit a notice of appeal in writing to the Board that describes, in detail, all of the grounds for the appeal, and the remedy requested, within thirty (30) days from the date of the written decision of the authorized chartering entity to non-renew or revoke a charter or to deny a charter or performance certificate revision. A copy of the notice of appeal shall be submitted to the authorized chartering entity. In addition, contemporaneous with the submission of the notice of appeal, the appellant charter school shall also submit to the Board one (1) hard copy and one (1) electronic copy of the complete record of all actions taken with respect to the matter being appealed. The record must be in chronological order and must be appropriately tabbed and indexed. The record must contain, at a minimum, all of the following documents: ()

a. The name, address, and telephone number of the appellant public charter school and the authorized chartering entity that issued the decision being appealed. ()

b. Copies of all correspondence or other documents between the appellant public charter school and the authorized chartering entity relating to the matter being appealed. ()

c. Copies of audio or video recordings, if any, and the minutes from all meeting(s) where the matter on appeal was considered or discussed. ()

d. The written decision provided by the authorized chartering entity to the appellant public charter school. ()

02. Public Hearing. A public hearing to review the decision of the authorized chartering entity shall be conducted within thirty (30) days after the date of the filing of the notice of appeal. ()

03. Notice of Hearing. All parties in an appeal shall be notified of a public hearing at least ten (10) days in advance, or within such time period as may be mandated by law. The notice shall identify the time and place of the hearing; a statement of the legal authority under which the hearing is to be held; the particular sections of the statutes and any rules involved; the issues involved; and the right to be represented. The notice shall identify how and when documents for the hearing will be provided to all parties. ()

04. Appointment of Charter Appeal Committee or Public Hearing Officer. The Board may, in its reasonable discretion, determine to appoint a charter appeal committee, composed solely of Board members, or a combination of Board members and Board staff, or alternatively, to appoint a public hearing officer, for the purpose of conducting the public hearing. If the Board determines not to make such an appointment, then the Board shall conduct the public hearing. ()

05. Prehearing Conference. The entity conducting the public hearing may, upon written or other sufficient notice to all interested parties, hold a prehearing conference to formulate or simplify the issues; obtain admissions or stipulations of fact and documents; identify whether there is any additional information that had not been presented to the authorized chartering entity; arrange for exchange of any proposed exhibits or prepared expert testimony; limit the number of witnesses; determine the procedure at the hearing; and to determine any other matters which may expedite the orderly conduct and disposition of the proceeding. ()

06. Hearing Record. The hearing shall be recorded unless a party requests a stenographic recording by a certified court reporter, in writing, at least seven (7) days prior to the date of the hearing. Any party requesting a stenographic recording by a certified court reporter shall be responsible for the costs of same. The record shall be transcribed at the expense of the party requesting a transcript, and prepayment or guarantee of payment may be required. Once a transcript is requested, any party may obtain a copy at the party's own expense. ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

07. Recommended Findings. If the public hearing is conducted by a charter appeal committee or appointed public hearing officer, then such committee or public hearing officer shall forward to the Board all materials relating to the hearing as soon as reasonably practicable after the date of the public hearing. If so requested by the Board, the entity conducting the public hearing may prepare recommended findings for the Board to consider. The recommended findings shall include specific findings on all major facts at issue; a reasoned statement in support of the recommendation; all other findings and recommendations of the charter appeal committee or public hearing officer; and a recommended decision affirming, or reversing the action or decision of the authorized chartering entity. A copy of the recommended findings shall be mailed or delivered to all the parties. ()

08. Final Decision and Order by the Board. The Board shall consider the materials forwarded by the entity conducting the public hearing, including any recommended findings of the charter appeal committee or appointed public hearing officer, as may be applicable, in a meeting open to the public at the next regularly scheduled meeting of the Board that occurs after the public hearing. If the public hearing was not conducted by the Board, then the Board may allow representatives for both the appellant public charter school and the authorized chartering entity an opportunity to deliver oral arguments to the Board advocating their respective positions, limited to thirty (30) minutes for each party. Whether the public hearing is conducted by the Board, or by a charter appeal committee or appointed public hearing officer, the Board shall issue a final written decision on such appeal within sixty (60) days from the date of the public hearing. The decision shall be sent to both the appellant public charter school and the authorized chartering entity. With respect to such written decision, the Board may take any of the following actions:()

a. Grant the appeal and reverse the decision of the authorized chartering entity if the Board determines that the authorized chartering entity failed to appropriately consider the non-renewal or revocation of the charter, or the request to revise the charter or performance certificate, or that the authorized chartering authority acted in an arbitrary manner in determining to non-renew or revoke the charter, or in denying the request to revise the charter or performance certificate. ()

b. Deny the appeal filed by the appellants. ()

404. Ex Parte Communications.

Unless required for the disposition of a matter specifically authorized by statute to be done ex parte, no party to the appeal nor any representative of any such party to the appeal, nor any person or entity interested in such appeal, may communicate, directly or indirectly, regarding any substantive issue in the appeal with the Board or the charter appeal committee or any hearing officer appointed to hear or preside over the appeal hearing, except upon notice and opportunity for all parties to participate in the communication. ()

405. -- 499. (RESERVED)

500. Miscellaneous.

01. LEA Designations. Section 33-5203(7), Idaho Code, provides that the board of trustees of a school district may designate a public charter school it authorizes as an LEA, with the concurrence of the public charter school board of directors. In order to designate a public charter school as an LEA, the board of trustees of the school district must submit to the Department the following no later than February 1 in order for any such designation to be effective for the following school year: ()

a. Verification that the board of trustees is the authorized chartering entity of the public charter school it wishes to designate as an LEA. ()

b. Written documentation that the board of trustees of the school district and the board of trustees of the public charter school have agreed to the designation of the public charter school as an LEA. Such documentation shall be signed by representatives of both parties. ()

501. -- 999. (RESERVED)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

08.02.05 – Rules Governing Pay for Success Contracting

000. Legal Authority.

In accordance with Sections 33-125B(8), Idaho Code, the State Board of Education may promulgate rules implementing the provisions of Section 33-125B, Idaho Code. ()

001. Scope.

These rules constitute the requirements for Pay for Success Contracting. ()

002. -- 009. (RESERVED)

010. Definitions.

01. Board. The State Board of Education. ()

02. Department. The State Department of Education. ()

03. Oversight Committee. Committee formed pursuant to Section 33-125B(6), Idaho Code, to evaluate pay for success contracting proposals. ()

04. Pay for Success Contracting. Contracting for services with private entities whereby services are reimbursed based on the achievement of outcomes pursuant to Section 33-125B, Idaho Code. ()

011. -- 100. (RESERVED)

101. Initiating Contracting.

01. Two Routes for Initiating Contracting. Contracting may be initiated through two (2) separate routes. ()

a. Initiated by Department. The Department may issues a request for information upon identification of a need for a service; or ()

b. Initiated by interested party. An interested party or service provider may identify a need for service and submit a proposal to the State Department of Education. Proposals must include a letter of intent to participate in a pay for success contract and must include the following information: ()

i. Special service(s) that the service provider will provide; ()

ii. How the services will enhance student academic achievement; ()

iii. Source of education funding from which savings will be realized; ()

iv. Identity of one (1) or more qualified external evaluators; ()

v. Provide external evaluator's qualifications and expertise as required pursuant to Section 33-125B, Idaho Code; and ()

vi. Identify local education agencies (LEA) that have expressed interest in participating in the service and documentation that LEA meets the requirements pursuant to Section 33-125B, Idaho Code. ()

02. Additional Information. As part of the review process, the oversight committee may request additional information. ()

03. Format. Proposals may be submitted in electronic or hard copy format. ()

102. Proposal Evaluation.

01. Timeline. ()

a. Within five (5) business days of receipt of the complete proposal, the proposal will be forwarded electronically to the oversight committee. ()

b. After receiving the proposal, the oversight committee will determine if additional information is needed to evaluate the proposal. The oversight committee will request additional information from the interested party within thirty (30) days of receiving the initial proposal. ()

c. The interested party shall respond to a request for additional information within fifteen (15) days of receiving the request. ()

i. Requests for additional response time may be granted at the discretion of the oversight committee. ()

ii. If the interested party fails to respond or additional information is not received within the specified time, the oversight committee may reject the proposal without further consideration. ()

d. The oversight committee shall hold an initial meeting either in-person, telephonically, or by other means, to consider the merits of the proposal within forty-five (45) days of receipt of the proposal. ()

e. The oversight committee chair shall inform the Department designated staff person, and the interested party, of its decision on a proposal within ninety (90) days of receipt of the complete proposal. ()

02. Oversight Committee Action. Following consideration of a proposal, the oversight committee shall take one (1) of the following actions: ()

a. Require the Department to start negotiations with the interested party; ()

b. Require the Department to start negotiations with the interested party, subject to conditions imposed by the oversight committee; ()

c. Reject the proposal with suggestions for improving the proposal prior to considering resubmittal, or; ()

d. Reject the proposal. ()

03. Proposal Resubmittal. Proposals that have been rejected may be resubmitted for consideration if amendments have been made to the proposal or additional information has been added for the oversight committee's consideration. ()

103. Contract Negotiations.

01. Negotiation Teams. Contract negotiations for accepted proposals shall involve the following individuals: ()

a. The Department chief budget officer or designee; ()

b. One (1) or more individuals with a background in complex financial instruments; ()

c. One (1) or more individuals with a background in complex financial instruments, at least one (1) of which will be from the state treasurer's office or the state endowment fund board; ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

d. One (1) or more financial officers from a local education agency. In the event a local education agency has already been identified to participate in the proposal, the chief financial officer for the local education agency shall participate. ()

e. One (1) or more individuals representing the interested party. ()

02. Negotiation Timeline. Negotiations shall be completed within ninety (90) days unless extended by the oversight committee. To be extended by the oversight committee, the committee must determine that all parties have made a best effort to negotiate the contract. ()

03. Negotiation Updates. The Department shall provide regular contract negotiation updates to the oversight committee, not less than every thirty (30) days during contract negotiations. Failure to negotiate mutually agreeable terms within ninety (90) days shall be reported to the oversight committee. The committee may extend the timeline for negotiations, appoint a new negotiations team or terminate the negotiations. ()

04. Time Tracking. State employees' time spent on the evaluation or negotiation shall be tracked and recorded on a per proposal basis and be provided to the oversight committee, or to other interested parties upon request. ()

104. Contract Monitoring.

Contract monitoring reports will be submitted to the oversight committee by the Department in a timeline and format established by the oversight committee. ()

105. -- 999. (RESERVED)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

08.03.01 – Rules of the Public Charter School Commission

000. Legal Authority.

The Public Charter School Commission, in accordance with Section 33-5213, Idaho Code, adopts these rules.

()

001. Scope.

These rules provide the requirements for the governance and administration of the Public Charter School Commission.

()

002. (RESERVED)

003. Administrative Appeals.

The provisions of Title 33, Chapter 52, Idaho Code, and IDAPA 08.02.04, "Rules Governing Public Charter Schools," govern appeals from decisions of the Commission.

()

004. -- 099. (RESERVED)

100. Definitions.

01. Board. The Idaho State Board of Education or its designee.

()

02. Commission. The Public Charter School Commission or its designee.

()

101. -- 199. (RESERVED)

200. Proceedings Before The Commission.

Proceedings or other matters before the Commission or its duly appointed hearing officer are governed by the provisions of Title 33, Chapter 52, Idaho Code, IDAPA 08.02.04, and these rules.

()

201. Communications With Commission.

All written communications and documents intended to be part of an official record of decision in any proceeding before the Commission of any hearing officer appointed by the Commission must be filed with the individual designated by the agency. Unless otherwise provided by statute, rule, order, or notice, documents are considered filed when received by the officer designated to receive them, not when mailed or otherwise transmitted.

()

202. Computations Of Time.

Whenever statute, these or other rules, order, or notice requires an act be done within a certain number of days of a given day, the given day is not included in the count, but the last day of the period so computed is included in the count. If the day the act must be done is Saturday, Sunday, or a legal holiday, the act may be done on the first day following that is not a Saturday, Sunday, or legal holiday.

()

203. Meetings -- Majority -- Chairman.

01. Majority. A simple majority of members voting shall be sufficient to decide any matter pending before the Commission.

()

02. Chairman Vote. The chairman shall vote only when necessary to break a tie.

()

204. -- 299. (RESERVED)

300. Compliance Monitoring.

The Commission shall be responsible for monitoring the public charter school's operations in accordance with all of

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

the terms and conditions of the performance certificate, including compliance with all applicable federal and state education standards and all applicable state and federal laws, rules and regulations, and policies. See IDAPA 08.02.04, "Rules Governing Public Charter Schools," Subsection 301.01. Commission staff will make a site visit and verify the existence of the following documents after the charter is granted: ()

- 01. Certificate of Occupancy.** Certificate of Occupancy for the public charter school site; ()
- 02. Building Inspection Reports.** A copy of the inspection report from the Idaho Division of Building Safety; ()
- 03. Fire Marshal Report.** A fire marshal report for the public charter school site; ()
- 04. Insurance Binders.** Copies of insurance binders from a company authorized to do business in Idaho for a liability policy, a property loss policy, worker's compensation insurance, unemployment insurance, and health insurance; ()
- 05. Health District Inspection Certificate.** A copy of the health certificate issued by the health district for each site at which students will be taught; ()
- 06. Instructional Staff Certification.** Proof of certification for all instructional staff employed by the public charter school; and ()

301. Required Documents Public Charter Schools Authorized By The Commission Must Submit To The Commission.

- 01. Lease Agreement.** If school structures are leased, a copy of the lease agreement for the building(s) at which students will be taught; ()
- 02. Financial Statements.** Audited financial statements from an independent auditor must be submitted as required by Section 33-701, Idaho Code; ()
- 03. Accreditation Reports.** A copy of any notice from the public charter school's accrediting body that the public charter school has failed to meet or maintain full accreditation requirements must be submitted within five (5) business days of receipt; ()
- 04. Complaints.** Copies of any complaints filed against the public charter school including, but not limited to, lawsuits and complaints filed with the Idaho Professional Standards Commission relating to school employees, within five (5) business days of receipt; ()
- 05. Board Members.** A current list of all public charter school board members, including full name, address, telephone number, and resume must be on file with the Commission within five (5) business days of any changes; ()
- 06. Proof of Compliance.** Additional proof of compliance as reasonably requested by the Commission. ()

302. -- 399. (RESERVED)

400. Petition -- Public Hearing.

A public hearing, as required by Section 33-5205(2), Idaho Code, for consideration of a petition on its merits shall be conducted by the Commission. Citizens intending to testify must notify the Commission the day of the meeting. Public comment will be limited to ten (10) minutes, unless otherwise determined by the Commission chairman. ()

401. -- 999. (RESERVED)

08.04.01 – Rules of the Idaho Digital Learning Academy

000. Legal Authority.

In accordance with Sections 33-5504, 33-5505, and 33-5507, Idaho Code, the Board is authorized to promulgate rules implementing the provisions of Title 33, Chapter 55, Idaho Code. ()

001. Scope.

These rules provide the requirements for the governance and administration of the Idaho Digital Learning Academy's Board of Directors. ()

002. -- 009. (RESERVED)

010. Definitions.

01. Acceptable Use Policy (AUP). An Acceptable Use Policy is a policy that governs behavior in a computer or online environment. An Acceptable Use Policy outlines appropriate and inappropriate behavior, including specific examples of inappropriate behavior as well as the consequences of violating the policy. Acceptable use guidelines include, but are not limited to, guidelines pertaining to the use of profanity or threatening language, copyright violations, revealing personal information (either their own or someone else's), disrupting the use of a school network, or importation of sexually explicit, drug-related, and other offensive materials into the course environment. ()

011. -- 100. (RESERVED)

101. Accreditation.

IDLA must maintain accreditation by an organization recognized by the State Board of Education. ()

102. Accountability.

01. Exams. Each IDLA course will require the student to take a comprehensive final exam at an approved site under proctored conditions. ()

02. Student Work and Ethical Conduct.

()

a. IDLA will inform students in writing of the consequences of plagiarism. The consequences for plagiarism are set out in the IDLA student handbook which is made available online at all times and is communicated to each student and parent prior to the beginning of each class. IDLA will investigate suspected cases of plagiarism and inform parents, students, and the local school district when a suspected case arises. ()

b. Acceptable use and behavior in a distance-learning environment is determined by local school district's policies. IDLA students and parents will be informed by the IDLA AUP specifically governing behavior in an online school. IDLA will provide a copy of the IDLA AUP to the Idaho State Board of Education in the IDLA Annual Report. ()

c. In a case of violation of the acceptable use policy or other disciplinary issues, IDLA will notify the local school district. The local school district is responsible for the appropriate disciplinary action. IDLA should be notified by the local school district of any disciplinary action resulting from a student's participation in an IDLA course. ()

d. The IDLA Director or designee reserves the right to deny disruptive students access to IDLA courses in the future or remove them from participating in an existing course. Appeals to the denial or removal from a course may be made in writing to the IDLA Board of Directors discussing the circumstances for removal or denial. The IDLA

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

Board of Directors will review the appeal and hold a special board meeting to allow the student an opportunity to speak to the issue. The IDLA Board of Directors will issue a final decision within ten (10) days of the board meeting.
()

03. Teacher Interaction. IDLA faculty are required to contact students within the first twenty-four (24) hours of class. Contact includes phone, e-mail, web conferencing, or other technological means. IDLA is required to submit periodic progress reports and final course percentages for individual students' grades which are then reported to the local school district for transcription to the student's academic record. ()

103. Fees.

The IDLA fee schedule will be provided to the Idaho State Board of Education in the IDLA Annual Report to the State Board of Education. ()

104. -- 999. (RESERVED)

From: [Kate Haas](#)
To: [Tracie L. Bent](#)
Cc: [John Foster](#)
Subject: CEE Rule - Written Comment
Date: Monday, September 20, 2021 11:32:34 AM

Tracie,

Now that the Board has approved the rule, do you have to publish it for formal, written comment? I know we did the rulemaking, but I have it in my head that the comment period is the next step. I ask because the College Board would like to offer one additional suggestion as I outline below. If there is a formal period, I can get it to you then. Otherwise, would you mind considering this? (Note: We have told them that the rule is likely to go through as proposed, but they asked that we share this anyway.)

The concern is that as structured, the goal of requiring districts to offer a test isn't clear. It is clear that students don't have to take it, and that is okay. But because it isn't anywhere in the comprehensive assessment program detail, it is a little murky about whether districts actually have to offer it.

Option 1: Add another bullet point to the existing list so that a CEE has a standalone line. Since it is not required to be offered in a specific grade, it could be listed in whatever way makes most sense.

*08.02.03.111.06. Comprehensive Assessment Program
n. Grade 10, 11 or 12 – A college entrance exam.*

Option 2: Incorporate language into the introductory paragraph so that it doesn't have to be put into the bigger list.

*06. Comprehensive Assessment Program. The State approved comprehensive assessment program is outlined in Subsections 111.06.a. through 111.06.n. Each assessment will be comprehensive of and aligned to the Idaho State Content Standards it is intended to assess. In addition, districts are responsible for writing and implementing assessments in those standards not assessed by the state assessment program **and providing students the opportunity to take a college entrance exam in grades 10, 11 or 12.***

As always, thanks so much for your help!

Best,
Kate

--

Kate Haas
Kestrel West

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Wednesday, September 15, 2021 11:01:50 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
“Supporting Schools and Students to Achieve”

From: Joel Bocanegra <kbennett@sde.idaho.gov>
Sent: Wednesday, September 15, 2021 10:50 AM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Joel Bocanegra
Email	
Please select	Standards for Certification and Endorsements
Comments	Hello, As a licensed psychologist, certified school psychologist, and one of two school psychologist professors in the state of Idaho I have significant concerns regarding lowering the standards for interim school psychology certification to a bachelor's degree in psychology. I also have a bachelors in psychology. A bachelors in psychology does not prepare you to conduct assessments nor counseling which are major roles of school psychologists. In fact, in psychology, the standard for practice is usually at the doctoral level. School psychology is the only type of professional psychology that you can practice below the doctoral level. In school psychology the standard for practice is at the EdS level, which is between a masters and a doctoral degree. Thus, having someone function as a school psychology with only a bachelor's degree is unfathomable

since they will be completely unprepared and no on the job training will make up for the lack of education. This will lead to significant deleterious effects to our students and schools and will unavoidably lead to increase litigation due to malpractice. Thus, I am personally in shock regarding the attempts to lower the standards of practice and wholeheartedly against having alternative certification at the bachelor's level.

Nevertheless, I do understand that there is a critical shortage of school psychologists within Idaho, since I am one of the premier scholars/researchers on the topic. But certifying people that are completely unprepared to do a job as technical as that of a school psychologist is not the answer. I would be more than happy to discuss other strategies that would help overcome the shortages crisis, which would not negatively impact our K-12th grade students nor our schools.

Please contact me for further information comments, etc.

Sincerely,

Dr. Joel Bocanegra PhD, NCSP.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Wednesday, August 11, 2021 8:56:42 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
“Supporting Schools and Students to Achieve”

From: Debra Davis-Johnson <kbennett@sde.idaho.gov>
Sent: Tuesday, August 10, 2021 3:19 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Debra Davis-Johnson
Email	
Please select	Standards for Certification and Endorsements
Comments	I disagree that a school psychologist endorsement should be granted to those with bachelor degree, and am deeply disappointed in knowing that my tax payer dollars are supporting people that propose decisions such as this. That is diminishing to the profession and for those that hold high standards in the field of school or educational psychology and have attained the educational standards which have always been held, including attainment of a master's or doctoral degree.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: RE: Proposed Administrative Rules, 2021 -
Date: Wednesday, August 11, 2021 9:07:51 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Lisa Loosle <kbennett@sde.idaho.gov>
Sent: Tuesday, August 10, 2021 11:44 AM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Lisa Loosle
Email	
Please select	Standards for Certification and Endorsements
Comments	<p>I believe that the proposed bill for school psychologists to be able to practice with a bachelor's degree within the school based setting is going to counter act the intention of the law.</p> <p>An individual who is on the path to become a Psychologist is not the same as the path to become a School Psychologist. This law also goes against the American Psychological Association, National Certification School Psychology standards and futhermore testing companies do not allow individuals with bachelor level degrees to administer cognitive, behavioral and adaptive based testing. Please consider the consequences of ethically and legally allowing one to adminster assessments, APA, NCSP standards and don't make schools a launching pad for Clinical Psychologists. Thank you for your consideration.</p>

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Wednesday, August 11, 2021 9:08:01 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Mary Ann Vineyard <kbennett@sde.idaho.gov>
Sent: Tuesday, August 10, 2021 12:09 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Mary Ann Vineyard
Email	
Please select	Standards for Certification and Endorsements
Comments	We have to meet both state and national standards, please consider this as you move forward.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Tuesday, August 17, 2021 4:05:50 PM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Amy Lunstrum <kbennett@sde.idaho.gov>
Sent: Tuesday, August 17, 2021 4:05 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Amy Lunstrum
Email	
Please select	Standards for Certification and Endorsements
Comments	<p>Dear committee members,</p> <p>The work that my fellow school psychologists and I perform involves, among other things, working with children with academic, behavioral and mental health needs on a regular basis. We regularly have the opportunity to alter the course of a child's entire school career by helping put interventions in place to support children's needs. We help the most at-risk children stay in school, continue learning and connect to their school communities so that they are given the best chance to become healthy, fulfilled individuals that go on to achieve their goals, lead full lives and give back to their communities. The work we do is vital and important and requires specialized skills and knowledge in order to do it well. By allowing individuals to serve in the capacity of school psychologist without the appropriate training of a specialist degree from graduate</p>

program approved by NASP (National Association of School Psychologists), there is the potential of harm to students and their families in addition to liability for the school districts that employ those with interim certificates.

The need for school psychologists (and other mental health professionals) in Idaho is best explained by this statement on www.educationdata.org "Idaho ranks 50th in terms of K-12 spending, and Idaho schools receive the least funding of all." Changing the credentials for a school psychologist is NOT the answer to the funding shortfalls. The proposal to create this interim certificate was made by a committee who neither included school psychologists, consulted school psychologists or possibly understands fully the scope and range of the school psychology job or competencies required for the position.

Please eliminate the Interim Certificate-School Psychologist Endorsement. If it is not eliminated, then at minimum please require the following changes in order to be eligible for an interim certificate: that the individual must have at least a master's degree in psychology; the individual must be working toward a specialist degree from a NASP-approved graduate program; the individual must be supervised by a fully certified Idaho school psychologist; and the endorsement must be named something other than "school psychologist" to specify that it is a temporary and "emergency" credential, not a full school psychologist endorsement.

Thank you for your time and attention to this important matter.

Sincerely,
Amy Lunstrum

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Monday, August 23, 2021 8:21:40 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Elizabeth Robertson <kbennett@sde.idaho.gov>
Sent: Monday, August 23, 2021 6:03 AM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Elizabeth Robertson
Email	
Please select	Standards for Certification and Endorsements
Comments	A school psychologist must have experience in the areas of their job and the education to support it. I completed the interim credential in Idaho as a school psychologist. In doing this supervisor, was a must plus the knowledge from my previous masters degree. Also if you wish to improve the number of school psychologists in Idaho provide a boost in pay. Schools pay a great deal more for admin school psychologists have to have a masters but earn quite a bit less.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Monday, August 23, 2021 1:29:51 PM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Laura Doody Taylor <kbennett@sde.idaho.gov>
Sent: Monday, August 23, 2021 1:15 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Laura Doody Taylor
Email	
Please select	Standards for Certification and Endorsements
Comments	<p>I would like to add my comment to the suggested changes proposed for School Psychologists. I have been a school psych. for the past 32 years, the last 30 in Idaho. I do not agree with an Interim Certificate for a School Psych. Endorsement. Having just a BA or BS degree in psychology while working towards the school psych. endorsement is not enough education to fulfill the legal requirements of our job. We complete thorough psych. evaluations and identify students with possible emotional behavior disorders, autism spectrum disorders, and intellectual disabilities. Having just an undergraduate degree and performing these job requirements could cause harm to the student and families. Can you imagine identifying a child with a significant impairment when the interim individual doesn't know how to administer a test or know/understand the criteria for special</p>

education categories (SLD, autism, ID, EBD). The liability and damage would be significant for the district as well as for the families that rely on fully trained school psychologists to complete these assessments. Not to mention the social-emotional aspects of crisis intervention and counseling with students that we encounter as a school psychologist--a BA or BS degrees does not prepare one for this job. One must complete the 2-year Masters in School Psychology as well as the year-long internship to be a trained school psychologist. I understand there is a shortage, but it would be mal-practice for a district or the state to accept the proposed changes to the School Psychologists and offer an interim endorsement. Thank-you for considering my input. Sincerely, Laura Doody Taylor/School Psychologist/West Ada School District

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Friday, August 27, 2021 10:20:28 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Olivia Johnston <kbennett@sde.idaho.gov>
Sent: Friday, August 27, 2021 9:43 AM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Olivia Johnston
Email	
Please select	Standards for Certification and Endorsements
Comments	With the Interim Certificate as it is currently being proposed with the edits and revision, there is the potential to cause both confusion to consumers, harm to students, and liability for the district, specifically by lowering the requirements from a master's degree to only a baccalaurte degree. In addition, it opens up ethical and legal concerns related to the many gaps in content knowledge, experience, and skills (e.g., psychological evaluations, mental health services, data-based decision making, ethical/legal considerations, special education law, etc.) between an individual with only a BA/BS degree in psychology and an individual with a master's degree in psychology. The changes that need to be made to the Interim Certificate School Psychologist Endorsement in order to minimize concern/harm include: Individual must have at a minimum of a master's degree in the field of psychology.

Change so the individual is working toward specialist-level degree in school psychology from a NASP-approved graduate program.
Require direct supervision from an individual holding an Idaho school psychologist endorsement in good standing
Specify that individuals holding this endorsement must have a different title than “school psychologist” to avoid confusion

From: Lindsey Swingrover <kbennett@sde.idaho.gov>

Sent: Saturday, August 28, 2021 10:21 AM

To: Natalie Hui <nhui@sde.idaho.gov>

Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Lindsey Swingrover
Email	
Please select	Standards for Certification and Endorsements
Comments	I am writing to express concern about lowering the interim school psychology standards to anyone with a BA and above. As a school psychologist practicing in Idaho since 2011 (including on a one year interim certification while I was an intern between my MEd and EdS), I do not believe that it is fair or safe to decrease the standards like this. Someone who has not completed at least a masters in a relevant field is not capable of practicing school psychology. I almost certainly would have FELT capable of carrying out the various responsibilities, but I absolutely was not. A master's degree, at minimum, should remain the standard. I realize there is a shortage, but please put effort into recruitment and training, not lowering the standard. Students will suffer.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Monday, August 30, 2021 8:26:45 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Gable Munn <kbennett@sde.idaho.gov>
Sent: Friday, August 27, 2021 7:46 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Gable Munn
Email	
Please select	Standards for Certification and Endorsements
Comments	With the Interim Certificate as it is currently being proposed with the edits and revision, there is the potential to cause both confusion to consumers, harm to students, and liability for the district, specifically by lowering the requirements from a master's degree to only a baccalaureate degree. In addition, it opens up ethical and legal concerns related to the many gaps in content knowledge, experience, and skills (e.g., psychological evaluations, mental health services, data-based decision making, ethical/legal considerations, special education law, etc.) between an individual with only a BA/BS degree in psychology and an individual with a master's degree in psychology. The changes that need to be made to the Interim Certificate School Psychologist Endorsement in order to minimize concern/harm include: Individual must have at a minimum of a master's degree in the field of psychology.

Change so the individual is working toward specialist-level degree in school psychology from a NASP-approved graduate program. Require direct supervision from an individual holding an Idaho school psychologist endorsement in good standing. Specify that individuals holding this endorsement must have a different title than “school psychologist” to avoid confusion. Regarding e. Interim Certificate (continued): There is no mention of who is approving any of the graduate training or the quality of the coursework (and the intern hours) or how they relate to the NASP training standards. It would be advantageous for a committee consisting of school psychologists from the graduate training program and/or the school psychologist state association to review the quality of the coursework and training.

Regarding d. School Psychologist Endorsement: NASP provides a Nationally Certified School Psychologist (NCSP) credential and not a “National Certification for School Psychologists.” The NCSP is administered by National School Psychology Certification Board (NSPCB; established by NASP). The NCSP represents a national credential for school psychologists based upon recognized standards for advanced preparation, performance-based assessment of competency, and demonstration of positive outcomes for consumers of school psychological services.

Regarding d. School Psychologist Endorsement (continued): There is no mention of allowing for additional pathways for highly qualified school psychologists (graduates of NASP-Approved or NASP-Accredited programs). It would be advantageous for one of the licensing options to explicitly state a “Specialist degree from a NASP-Approved program.” There should be some mention of graduate coursework tied to NASP Standards.

Regarding d. School Psychologist Endorsement (continued): Based on NASP's recommendations, the specialist-level degree in school psychology represents the minimum degree (e.g., Ed.S., SSP, CAS, Psy.S., Masters 60 hrs.) to bring quality school psychologists to the workforce. Adding the following language to the endorsement would be encouraged. – "A minimum of 3 years of full-time study at the grad. level, or the equivalent inclusive of structured field experiences."

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Tuesday, August 31, 2021 9:11:17 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Lauren Thomas <kbennett@sde.idaho.gov>
Sent: Tuesday, August 31, 2021 8:50 AM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Lauren Thomas
Email	
Please select	Standards for Certification and Endorsements
Comments	<p>Eliminate the Interim Certificate - School Psychologist Endorsement as it is currently being proposed/revised:</p> <p>With the Interim Certificate as it is currently being proposed with the edits and revision, there is the potential to cause both confusion to consumers, harm to students, and liability for the district, specifically by lowering the requirements from a master's degree to only a baccalaurean degree. In addition, it opens up ethical and legal concerns related to the many gaps in content knowledge, experience, and skills (e.g., psychological evaluations, mental health services, data-based decision making, ethical/legal considerations, special education law, etc.) between an individual with only a BA/BS degree in psychology and an individual with a master's degree in psychology. The changes that need to be made to the Interim Certificate School Psychologist Endorsement in</p>

order to minimize concern/harm include:
Individual must have at a minimum of a master's degree in the field of psychology.
Change so the individual is working toward specialist-level degree in school psychology from a NASP-approved graduate program.
Require direct supervision from an individual holding an Idaho school psychologist endorsement in good standing
Specify that individuals holding this endorsement must have a different title than "school psychologist" to avoid confusion
Regarding e. Interim Certificate: There is no mention of who is approving any of the graduate training or the quality of the coursework (and the intern hours) or how they relate to the NASP training standards. It would be advantageous for a committee consisting of school psychologists from the graduate training program and/or the school psychologist state association to review the quality of the coursework and training.

Regarding d. School Psychologist Endorsement: NASP provides a Nationally Certified School Psychologist (NCSP) credential and not a "National Certification for School Psychologists." The NCSP is administered by National School Psychology Certification Board (NSPCB; established by NASP). The NCSP represents a national credential for school psychologists based upon recognized standards for advanced preparation, performance-based assessment of competency, and demonstration of positive outcomes for consumers of school psychological services.

Regarding d. School Psychologist Endorsement : There is no mention of allowing for additional pathways for highly qualified school psychologists (graduates of NASP-Approved or NASP-Accredited programs). It would be advantageous for one of the licensing options to explicitly state a "Specialist degree from a NASP-Approved program." There should be some mention of graduate coursework tied to NASP Standards.

Regarding d. School Psychologist Endorsement:
Based on NASP's recommendations, the specialist-level degree in school psychology represents the minimum degree (e.g., Ed.S., SSP, CAS, Psy.S., Masters 60 hrs.) to bring quality school psychologists to the workforce. Adding the following language to the endorsement would be encouraged. – "A minimum of 3 years of full-time study at the grad. level, or the equivalent inclusive of structured field experiences."

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Friday, September 10, 2021 8:34:18 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Molly Strauss <kbennett@sde.idaho.gov>
Sent: Thursday, September 9, 2021 6:41 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Molly Strauss
Email	
Please select	Standards for Certification and Endorsements
Comments	<p>In order for a "Interim Certificate – School Psychologist" to complete the work of a school psychologist (i.e., administer cognitive assessments, counsel students, etc.), they have to complete a program that allows them to meet the test administration qualifications. An individual with a baccalaureate does not have the qualifications necessary to administer cognitive or social/emotional/behavioral assessments or interpretations. A baccalaurette in psychology does not qualify someone to administer or interpret assessments or counsel students.</p> <p>Please keep the Master's in Human Exceptionality: School Psychologist Examiner or Master's in Psychological Assessments so the interim or alternative authorization school psychologist can do the basic work of a school psychologist.</p>

Please ensure that before being hired, an interim or alternative authorization school psychologist will already be enrolled as a student in a school psychology program. This ensures that they will have supervision from the professors while they are being educated and a certified and experienced school psychologist.

Proper professional training in administering assessments is a must to stay out of due process hearings, lawsuits, and so on:

B.G. by J.A.G. v. Board of Education of the City of Chicago, August 27, 2018, 7th Circuit, 24 pages

If a parent or their lawyer presents a case that the interim or alternative authorization school psychologist is not qualified to administer assessments and they have less than a Master's in Human Exceptionality: School Psychologist Examiner, the school district will lose.

Please ensure that the school districts have proper guidance in hiring interim or alternative authorization school psychologist with adequate training so they can do the job of a school psychologist and effectively meet the needs of the students.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Thursday, September 16, 2021 3:53:58 PM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Remi McLeod <kbennett@sde.idaho.gov>
Sent: Thursday, September 16, 2021 3:07 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Remi McLeod
Email	
Please select	Standards for Certification and Endorsements
Comments	I am a School Psychologist and would like to express serious concern about the proposed Interim School Psychologist Certificate. As a graduate of a nationally accredited school psychology graduate program, the proposal to lower the educational requirement to a bachelors would not be in the best interest of students. I got my undergraduate degree in psychology and I did not have nearly the training nor experience necessary to work in the field of School Psychology. I would have unintentionally caused harm to students and educators due to my lack of experience and knowledge. A graduate degree in School Psychology provides rigorous training in the areas of assessment, legal and ethical practices, collaboration, consultation, counseling, and culturally responsive education. School psychologists are often the go-to resource when legal or ethical questions arise and I fear that

moving forward with the Interim Certificate would contribute to ethical and legal dilemmas within the school system. In addition, it is imperative that special education evaluations are completed in a data-based and standardized method. It would not be realistic or best practice to have individuals who are not properly trained administering cognitive assessments or interpreting behavior rating scales. These are typically learned through graduate classes that span an entire school year and require extensive supervision. Special education evaluations impact students greatly and must be completed by properly trained individuals. In order to stand up for the efficacy and legitimacy of the field of School Psychology, I have to assert my belief that the standards for a School Psychologist certificate not be lowered. Thank you.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Thursday, September 16, 2021 3:53:52 PM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Jennifer Walt <kbennett@sde.idaho.gov>
Sent: Thursday, September 16, 2021 3:18 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Jennifer Walt
Email	
Please select	Standards for Certification and Endorsements
Comments	<p>I am a practicing school psychologist in the state of Idaho and am writing to express my concerns about the "interim school psychologist" endorsement. I want to be clear that I am not trying to protect my profession as much as I am trying to protect the students of Idaho. The licensure and coursework required to become a school psychologist is rigorous for a reason. After I had earned my Bachelor's in psychology, and before I completed my graduate degree, I would have been in no way prepared for the roles and responsibility of a school psychologist. The 'interim' school psychologist would be asked to do assessments for which they had NO training, make decisions about students for which they had NO training, and adversely impact the course and outcomes for those students both academically and socially/behaviorally. The ethics</p>

involved in putting those with 'interim' qualifications in the role of a school psychologist are misguided at best. My children and yours deserve better than what is being proposed. I know we all hold higher standards for the education of our students than is reflected by this proposal. We can do better.

From: Sarah Grinnell <kbennett@sde.idaho.gov>

Sent: Thursday, September 16, 2021 3:36 PM

To: Natalie Hui <nhui@sde.idaho.gov>

Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Sarah Grinnell
Email	
Please select	Standards for Certification and Endorsements
Comments	<p>I am deeply troubled by the changes to the School Psychologist endorsement. The new endorsement does not stipulate the the person has the necessary training or background to complete the basic functions of a school psychologist. Most foundationally they would not have the appropriate training to conduct the assessment required by the Idaho Special Education Manual for most eligibility categories. All IQ tests require appropriate training and certification for use. The way this rule is written does not ensure that the training is present which leads to inaccurate decision making and questionable ethical practices.</p> <p>This is also not discussing the counseling, mental health and behavioral training that occurs in the master's degree programs. I have a Baccalaureate degree in psychology and a Masters in</p>

Counseling. There was insufficient training in both of those programs for me to perform the assessment, report writing, and behavioral aspects of the current School Psychologist position I hold. If there is a desire to have more pathways to be a school psychologist there needs to be minimum requirements of educational background and experience. For example wording added about administration of psychoeducational assessments, interpretation of rating scale results and the manifestation of mental health in the academic environment. It could also be that that particular occupations would lend themselves to interim certificates. For example, a person had been employed as a Special Education teacher for 3 or more consecutive years may have a work history that would allow for completion of the required components.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Wednesday, September 15, 2021 4:33:20 PM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Camille Campbell <kbennett@sde.idaho.gov>
Sent: Wednesday, September 15, 2021 2:27 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Camille Campbell
Email	
Please select	Standards for Certification and Endorsements
Comments	Hello, I am writing concerning the idea of allowing the minimum level of degree required to work as a school psychologist. I have a bachelors degree in psychology, and I am currently in my second semester of the school psychology program at Idaho State University. I can tell you as someone that received a bachelors degree in psychology, a bachelors degree does not provide the necessary knowledge and skills to work as a school psychologist. Allowing bachelor level students to work as school psychologists will have negative impacts on k-12 education in Idaho. There is a shortage of school psychologists everywhere but lowering the level of education will not fill the void of trained school psychologists because those school psychologists with a bachelors degree will not be trained properly. There are other solutions that would benefit the students much better. The degree requirements should

stay as needing a specialist degree(EdS). School Psychologists make important decisions that could impact many children for the rest of their lives. School psychologists need the proper training before working.

From: Echo Mansfield <kbennett@sde.idaho.gov>
Sent: Wednesday, September 15, 2021 3:14 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Echo Mansfield
Email	
Please select	Standards for Certification and Endorsements
Comments	<p>There is a need to eliminate the Interim Certificate- School Psychologist Endorsement that allows for the practice of school psychology with a bachelor level degree. Allowing this is very likely to lead to harm for our students, families and communities. A bachelor's program teaches general psychology concepts. Graduate level study teaches how to do the complex and specialized work of a school psychologist.</p> <p>The harm that could come from having under-trained people fill these roles include:</p> <ul style="list-style-type: none"> • Failure to adequately identify special education students, their critical needs, and the services they need in order to have academic achievement, graduate high school and move forward with college and/or career. Failing to adequately help our disabled children can have long lasting economic implications with failing

students leaving school to be supported by state welfare funding and/or increased rates of these students' facing incarceration.

- Failure to provide necessary crisis care when tragic events occur within our school communities, leaving lasting emotional scars for all involved within the school community.
- Failure to support teachers through the difficulties of educating students with special needs, which can impact overall student achievement and lead to high staff turn-over.
- Failure to support families in need of assistance with their disabled children
- Placing local school district at legal risk due to these failures which can lead to increased legal fees and staff turn-over.

If a bachelor level certificate is granted it should require direct supervision from an individual holding an Idaho school psychologist endorsement in good standing to help guard against harm to the public. It should specify that individuals holding this endorsement have a different title than "school psychologist" to avoid confusion to the families we serve.

There is no mention of who is approving any of the training or the quality of the coursework. It would be advantageous for a committee consisting of practicing school psychologists, representatives from the graduate training programs and/or the school psychologist state association to review the quality of the coursework and training.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Monday, September 20, 2021 4:51:35 PM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
“Supporting Schools and Students to Achieve”

From: Holly Tanner <kbennett@sde.idaho.gov>
Sent: Monday, September 20, 2021 3:06 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Holly Tanner
Email	
Please select	Standards for Certification and Endorsements
Comments	I am a School Psychologist in our great state of Idaho. There is currently a great shortage of School Psychologists in both our state and in the nation. I understand the need for trying to put an interim certificate in place for districts to use while training a school psychologist; however, the way the current one we are trying to put in place is not adequate. To do my job, I have a Bachelor's Degree, a Master's Degree, and a Specialist Degree. This is a minimum amount to have the knowledge to complete the job. Putting someone in with just a bachelor's degree and expecting them to be able to function as a school psychologist in any capacity is not a possibility. There is not training for this until a Master's program. Student's need these services, but asking someone to do it without proper training will not help our students and could very likely do harm. I would love to see us get more trained

school psychologists in our state, but lowering standards to the point that the job could not be done is not the answer. Here are some of my ideas to help u train school psychologist for our state:

- Funding higher education for people to receive the training would be a fabulous solution.
- Change the interim minimum to a Master's could work if they are already in a program.
- Pay School Psychologists on a different scale from teacher's that takes their vast educational requirements into consideration.

From: John Ursillo <kbennett@sde.idaho.gov>
Sent: Monday, September 20, 2021 3:19 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	John Ursillo
Email	
Please select	Standards for Certification and Endorsements
Comments	I am a principal of an Idaho public elementary school. I believe lowering the interim certification criteria standard for school psychologists would ultimately be harmful Idaho school children.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Monday, September 20, 2021 4:51:02 PM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Jacqueline Pearson <kbennett@sde.idaho.gov>
Sent: Monday, September 20, 2021 3:27 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Jacqueline Pearson
Email	
Please select	Standards for Certification and Endorsements
Comments	I'm writing in opposition to the proposed changes for School Psychologist Certification. I've worked closely with School Psychologists for the last eighteen years as a special education teacher. Changing the requirements from a masters degree to a bachelors degree will be a disaster. A psychology degree doesn't prepare a person for the following tasks that a School Psychologist preforms: completing special education assessment for evaluations, crisis prevention/intervention, student mental and behavioral health issues, MTSS training/knowledge, special education law, and education/curriculum. Making this change will not end the shortage for School Psychologists. It will hurt students, staff, and schools.

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Tuesday, September 21, 2021 11:52:50 AM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
“Supporting Schools and Students to Achieve”

From: Jeanne Buschine <kbennett@sde.idaho.gov>
Sent: Tuesday, September 21, 2021 10:54 AM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Jeanne Buschine
Email	
Please select	Standards for Certification and Endorsements
Comments	Lowering the requirement for a school psychologist endorsement to a B.A. who is pursuing their Ed.S. in school psychology is dangerous. The individual at a B.A. level would most likely not have a full background in the required special education assessments and procedures and ultimately cause legal harm to the school districts employing such individuals. Please do not make this change. Keep the requirement for a school psychologist at the Ed.S. level (60 credit program).

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Wednesday, September 29, 2021 12:24:10 PM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Teresa Fritsch <kbennett@sde.idaho.gov>
Sent: Tuesday, September 28, 2021 1:35 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Teresa Fritsch
Email	
Please select	Standards for Certification and Endorsements
Comments	As I continue to think about the changes that are being suggested on page 5 related to School Psychologists, the more concerns I have, particularly how the Interim Certificate-School Psychologist Endorsement has been edited. An individual with a BA/BS psychology has not had any course work or experience in administering assessments that are used in identifying students for special education or for gifted and talented programs. Test companies will only sell certain tests to individuals with higher level degrees and experience in administering these tests. In addition, an individual with a BA/BS will not have any knowledge of special education, special education law, general education instruction/interventions, crisis training/intervention/prevention, or research and evidence-based practice. In addition to only having a BA/BS, the way this endorsement has

been edited, that individual could "practice as a school psychologist" for 6 years without having any additional graduate level course work!! There is the potential for significant harm, misdiagnosis, misclassifications, and other errors due to the lack of supervised practicums, of knowledge, and of trainings of these individuals who only have a BA/BS in psychology. I would ask the committee to have this Interim Certificate be given to an individual with at least a master's degree in psychology; be working towards a specialist-level degree in school psychology from a NASP-approved graduate program; be required to have direct supervision from an individual holding an Idaho school psychologist endorsement in good standing; and specify that this individual holding this interim endorsement have a different title than "school psychologist" to avoid confusion.

Teresa Stivers Fritsch, Psy.S., NCSP
NASP Delegate-Idaho
School Psychologist

From: [Natalie Hui](#)
To: [Lisa Colon Durham](#)
Subject: FW: Proposed Administrative Rules, 2021 -
Date: Wednesday, September 29, 2021 12:24:17 PM

Natalie Hui
Management Assistant
Idaho State Department of Education
(208) 332-6815
nhui@sde.idaho.gov
"Supporting Schools and Students to Achieve"

From: Courtney Bunch <kbennett@sde.idaho.gov>
Sent: Tuesday, September 28, 2021 12:39 PM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Courtney Bunch
Email	
Please select	Standards for Certification and Endorsements
Comments	I am writing regarding the proposal to change the standards and credentials of those who receive a school psychologist endorsement. This change is concerning. When parents reach out to the student support team they are often in need of direction, guidance and the expertise of School Psychologists. I fear that student/family needs and concerns cannot be met by someone without the education provided by a master's degree in school psychology. Baccalaureate degree programs do not have the capacity to adequately train and prepare an individual to provide the holistic services our School Psychologists provide. The master's degree programs provide much more in-depth teaching and training, in wide variety of areas, that are extremely important in providing appropriate care and guidance to students, parents and school staff. It could be harmful to students and schools if we do not have

highly qualified individuals that have been specifically trained and educated to fill that role.

From: Catherine McArthur <kbennett@sde.idaho.gov>

Sent: Wednesday, September 29, 2021 9:03 AM

To: Natalie Hui <nhui@sde.idaho.gov>

Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Catherine McArthur
Email	
Please select	Standards for Certification and Endorsements
Comments	Dear Committee, I am writing to you regarding the proposed changes to the School Psychologist Endorsement and Interim Certificate. As a practicing school psychologist for the last 5 years, who has also worked in neighboring states, is a Nationally Certified School Psychologist, and who graduated from a NASP approved program, I understand the necessary requirements to practice school psychology. When I was made aware of the proposed changes to our state's standards for someone to practice school psychology, I was absolutely shocked and appalled by what I read. School psychology is a field that deals with many delicate, legal, and ethical situations. We serve schools and communities by identifying students with disabilities who need additional services to access their education. This requires a vast amount of knowledge in disability and special

education law, diagnostic criteria, proficient statistical understanding, and sufficient training in the tools used to measure cognitive abilities and symptom severity. Allowing those not properly trained and without the minimum required supervised experience to practice as if they met these standards is not only setting districts and the state up for legal ramifications, but is also very ethically and morally concerning. Individuals who do not at least hold a masters degree are not legally able to purchase and use many of the assessments used by school psychologists, as even the test publishers who make money off these purchases and test use understand that those who do not meet certain criteria are not fit to use tools that allow identification of serious and, at times, life changing disabilities. This is both harmful to our students and families as well as our communities, as many physicians and practitioners outside of the school setting often utilize disability testing and results from within schools to inform their prescribed treatment and services for children. I urge you to use the guidance from the National Association of School Psychologists (NASP) to inform the minimum requirements someone needs in order to be a practicing school psychologist. Additionally, the standards of what qualifies as a Nationally Certified School Psychologist (NCSP) should also give you insight into how ill-equipped someone with only a bachelor's degree would be at pretending to be able to practice in the field of school psychology.

Sincerely,

Catherine McArthur, Ed.S., NCSP

From: Cynthia Garner <kbennett@sde.idaho.gov>
Sent: Wednesday, September 29, 2021 10:48 AM
To: Natalie Hui <nhui@sde.idaho.gov>
Subject: Re: Proposed Administrative Rules, 2021 -

This message was sent from outside the organization. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Name	Cynthia Garner
Email	
Please select	Standards for Certification and Endorsements
Comments	<p>My comments are regarding the document called Rules Governing Uniformity - specifically related to School Psychology Endorsement on the bottom of page 5.</p> <p>1. Elimination of Interim Certificate. This would not be in the best interests of children, you would be lowering the standards of services to some of the most vulnerable students. If proceeded as written, there is risk this practice would open up ethical and legal concerns related to gaps in content knowledge, experience, and skills required for the position of a School Psychologist. As a recently retired School Psychologist, I am well versed in the skill set needed to ensure legal federal laws and procedures are implemented as written. There are ethical standards that a school psychologist must follow that are aligned with the National Association of School Psychologist Practice Model (NASP Practice Model). The quality of graduate training and quality of the coursework and how it aligned to the NASP training standards are critical to the care and roles provided by School Psychologists. Don't lower the standards! Idaho students, families and communities deserve better.</p>

From: [Fritsch Teresa](#)
To: [Tracie L. Bent](#)
Subject: 08.02.02 Rules Governing Uniformity
Date: Thursday, October 21, 2021 12:53:24 PM

Ms. Bent,

My name is Teresa Fritsch and I am a school psychologist in the West Ada School District and Idaho's Delegate to the National Association of School Psychologists (NASP). I'm writing to you because it is my understanding that the *08.02.02 Rules Governing Uniformity* document is now in the hands of the State Board of Education, and I wanted to raise some concerns with the section related to School Psychologists on page 5. I have listed several concerns below, particularly related to the Interim Certificate.

With the Interim Certificate as it is currently written/edited, there is the potential to cause confusion to consumers, harm to students, and liability for districts. In addition, it opens ethical and legal concerns related to the many and significant gaps in content knowledge, experience, and skills (e.g., assessment, mental health services, data-based decision making, MTSS, ethics/legal considerations, special education law, etc.) between a qualified school psychologist with a specialist degree and an individual with only a baccalaureate degree in psychology.

- 1) The changes that need to be made to **the Interim Certificate School Psychologist Endorsement** to minimize concern/harm include:
 - An individual with an interim endorsement must have at a minimum of a master's degree in the field of psychology.
 - Must have "working towards specialist-level degree in school psychology from a NASP-approved graduate program."
 - Require direct supervision from an individual holding an Idaho school psychologist endorsement in good standing.
 - Specify that individuals holding this endorsement must have a different title than "school psychologist" to avoid confusion.
- 2) **Regarding e. Interim Certificate (continued):** If an individual were to obtain this Interim Certificate School Psychologist Endorsement as it is currently written, they could work in a "School Psychologist" capacity for up to **6 years** without obtaining a graduate degree or significant graduate knowledge in school psychology (depending on the pace and nature of the courses they take)! That is **way too long** to hold an interim endorsement without some sort of quality check and other requirements noted above.
- 3) **Regarding e. Interim Certificate (continued):** There is no mention of who is approving any of the graduate training or the quality of the coursework (and the intern hours) or how they relate to the National Association of School Psychologists (NASP) training standards. It would be advantageous for a committee consisting of school psychologists from the graduate training program and/or the school psychologist state association – Idaho School Psychologist Association (ISPA) to review the quality of the coursework and training.
- 4) **Regarding d. School Psychologist Endorsement:** NASP provides a "**Nationally Certified School Psychologist (NCSP) credential**" and **not** a "National Certification for School Psychologists." The NCSP is administered by National School Psychology Certification Board (NSPCB; established by NASP).

- 5) **Regarding d. School Psychologist Endorsement:** There is no mention of allowing for additional pathways for highly qualified school psychologists (graduates of NASP-Approved or NASP-Accredited programs). It would be advantageous for one of the licensing options to explicitly state a "Specialist degree from a NASP-Approved program." There should be some mention of graduate coursework tied to NASP Standards.
- 6) **Regarding d. School Psychologist Endorsement:** Based on NASP's recommendations and standards, the specialist-level degree in school psychology represents the minimum degree (e.g., Ed.S., SSP, CAS, Psy.S., Masters 60 hrs.) to bring quality school psychologists to the workforce. Adding the following language to the endorsement would be encouraged. – "A minimum of 3 years of full-time study at the grad. level, or the equivalent inclusive of structured field experiences."

Please contact me if there is anything I can do or be of assistance related to this very important topic.

Thank you, too, for taking the time to read my concerns.

Teresa

From: [Michael Stewart Anderson](#)
To: [Tracie L. Bent](#)
Subject: Comment: IDAPA 08.02.03 - Section 105 [I agree with removing the HS senior requirement for SAT]
Date: Sunday, October 24, 2021 10:01:25 AM

Idaho Administrative Code
State Board of Education
IDAPA 08.02.03 - rules governing thoroughness
Section 105 Pages 711 and 712

Re- Docket No 08-0000-2100
Omnibus Notice - Proposed Rulemaking
State Board of Education IDAPA 08
Pg. 647

To whom this may concern,

I see in the recently bulletin that there is no longer a requirement for College Entrance Exam (CEE) for High School Seniors to graduate. [Section 105. High School Graduation Requirements: pages 711-712]
My Comment in accordance with the 21 day period of public commentary.
<https://adminrules.idaho.gov/bulletin/2021/10SE.pdf#page=646>

Removal of the College Entrance Requirement for high school graduation is very good thing both practically and fiscally.

1. Around 66% of high school graduates eventually go to some sort of post-secondary education. Of those, 49% go to community college which are largely open enrollment (aka accept anybody who applies) and do not require an SAT.
The state is paying for testing of 34% of kids who will never go to college and ~33% who don't need the SAT because they are going to Community college. A solid and large portion (~77%) of High School students do not need and SAT to participate in post-secondary education.
2. Hence, there is a needless expense generated for the state and the taxpayers for all of the PSAT and SAT testing.
3. Moreover, from my own experience, my son, who is a senior right now, is applying to colleges. Zero of the colleges he might with to apply to require the SAT or ACT to get in. Colleges and Universities themselves have found this metric of student competence to not inherently be valuable and are moving away from reliance on CEE's to determine the makeup of their student bodies.

There is no need for the requirement or funding of CEE's for Idaho students.

I am in full support of the removal of the Senior High requirement to take a college entrance examination as a qualification for graduation.
CEE's have outlived their usefulness and are a needless expense to the taxpayer.

From: [Elizabeth Wise](#)
To: [Tracie L. Bent](#)
Subject: Comments on Proposed State Board Rule Changes
Date: Thursday, October 21, 2021 2:30:05 PM

Good Afternoon,

As a high school math teacher and department chair, I am very against the removal of the state-sponsored SAT and PSAT school days for the following reasons:

1. These are nationally recognized exams as compared to the ISAT which is only recognized by Idaho. Because of this, more emphasis should be on the SAT and PSAT.
2. These days give many students their only opportunity to take the SAT and eliminate the associated cost. This allows more students to consider college as an option after high school.
3. The PSAT gives Sophomores and Juniors a lower-stakes practice for the SAT to help them become more familiar with the content and format.
4. The PSAT gives Juniors scholarship opportunities through the National Merit Scholarship Program and the Student Search Service.
5. The SAT is much more user friendly than the ISAT. Every year students comment that the ISAT is difficult to navigate, even after using the interm assessments to prepare. The ISAT is in need of format changes before it can be used to accurately assess student knowledge. This includes the score reporting which is not very transparent and difficult to compare year to year.

If we take these opportunities away from students we are limiting their options for college entrance and preparation.

BreAnn Wise
Century High School
Math Dept Chair

From: [Chrys Dayley](#)
To: [Tracie L. Bent](#)
Subject: Feedback on proposed changes
Date: Thursday, October 14, 2021 1:31:06 PM

I have been a School Counselor at Pocatello High School for 22 years. I am in favor of doing away with the College Entrance Exam graduation requirement. I am also in favor of doing away with the statewide administration of the PSAT for 10th graders.

In my opinion, many of our students do not benefit from the administration of either of these tests. Most 10th graders aren't far enough in their future planning to know whether they are college bound, heading for a technical program, or looking at apprenticeships/other options.

The 11th graders who would benefit from taking a college entrance exam chose to do it on their own prior to the state implementing the program to test all students at that grade level. I think there are other tests available (such as the ASVAB) that would benefit many students as much, or more than, taking the SAT.

Thank you for your time.

Have a great day!
Chrys Dayley
Counselor
Pocatello High School

November 8, 2021

Idaho State Board of Education
650 West State Street, 3rd Floor
Boise, ID 83702

Dear President Liebich and members of the State Board of Education:

On behalf of the College Board, a mission-driven not-for-profit organization that connects students to success and opportunity, I am writing to propose changes to [Docket No. 08-0000-2100 in Vol. 21-10SE of the Idaho Administrative Bulletin](#). We are privileged to have partnered with the State of Idaho for the past 10 years as an integral component of its strategy for more students to continue postsecondary education. As the state considers changes to its assessment system and graduation requirements, we would like to recommend a small, technical change to the rule language to ensure it clearly shows the state's intent to maintain the opportunity for students to take a college entrance exam and show their best work on their path to postsecondary success.

The regulations, as currently drafted in Section 111.03, do call for a college entrance exam to be included as part of the comprehensive assessment program. However, a college entrance exam is the only assessment not identified in Section 111.06, which outlines the assessments offered in each grade.

College Board recommends adding “**n. Grade 11 or 12 – a college entrance exam**” to Section 111.06. This would make it clear that the SAT will continue to be offered by schools to all students who wish to take it in either grade 11 or 12.

Benefits of the SAT for Idaho Students

The SAT Suite of Assessments (SAT, PSAT/NMSQT, PSAT 10, and PSAT 8/9) focuses on the few skills that research shows are essential for success in college and career training programs. These assessments provide early and ongoing insight into college readiness that can help teachers adapt instruction, place students in classes they are ready to take, and strengthen college and career readiness skills. Students who take the SAT Suite of Assessments, and use that information to strengthen skills, improve their scores and college and career readiness rates, year over year.

- **Encourage career pathway exploration.** Students can utilize College Board's Career Finder tool to connect their performance on the SAT or a PSAT-related assessment to course, major, and career recommendations. Students can also explore local, in-demand career opportunities.
- **Connect students to scholarships.** Students who complete key college planning steps, including practicing for the SAT, are eligible for up to \$40,000 in College Board Opportunity Scholarships.
- **Increase likelihood of attending college.** [Research](#) from Michigan shows students who take college entrance exams in states that administer them during the school day see higher college attendance rates—and low-income students benefit the most.
- **Promotes equity.** Income-eligible 11th- and 12th-grade students receive waivers, unlimited SAT score sends, and college application fee waivers so they can take the SAT and apply to college—all for free.



- **Recognize underrepresented students.** Students who take PSAT/NMSQT can become eligible for College Board National Recognition Programs, which create pathways to college for underrepresented students by awarding them academic honors and connecting them with universities across the country.
- **Practice at home.** Students who take any of the SAT Suite of Assessments have online access to free, personalized practice on the key skills they still need to master for future success. Official SAT Practice on Khan Academy creates a personalized plan for each student based on their performance on any one of the SAT Suite of Assessments. Official SAT Practice includes thousands of interactive questions with instant feedback, video lessons, full-length practice tests, and more.
- **Let students show their best work.** The SAT provides an opportunity for students to show their best work and distinguish themselves in college admissions. Every student who takes the SAT receives a college reportable score that can be used to meet admissions requirements. At schools that do not require a test score, students who perform well can still submit their test scores to bolster their applications and apply for scholarships.

Benefits for Educators

- **Use proven tools to identify student skills.** Educators can use the SAT Suite of Assessments to identify students' skills and weaknesses on the essential skills students must master in high school to be successful in two- and four-year colleges. The SAT Suite of Assessments is aligned to state standards, measures what students learn in high school, and focuses on the few things that evidence shows matter most for college and career readiness. The SAT Suite provides consistent feedback across assessments to help students stay on course and supports teachers as they adjust their instruction for students who are either ahead or behind.
- **Identify students for advanced coursework.** Schools can use PSAT-related assessment results to identify students who are likely to succeed in AP courses and on AP Exams. In the class of 2019, approximately 7,770 Idaho students were identified as having potential to succeed on an AP Exam due to their participation on a qualifying assessment. Research shows that students who take AP Exams, regardless of score, have better college outcomes than academically similar college students who did not take an AP course and exam.
- **Coaching Tools.** Educators can use the coaching tools in Official SAT Practice to view SAT practice recommendations and progress for entire classes and individual students, making it easier than ever to get their students ready for the SAT.

Sincerely,

Alexandra Dominguez
Director, State Government Relations
College Board

From: [Kim Draves](#)
To: [Tracie L. Bent](#)
Subject: College Entrance Exam Requirement
Date: Tuesday, November 9, 2021 9:48:52 AM

To Whom It May Concern:

My name is Kim Draves and I am currently the school counselor at Murtaugh School, where I have been for the past 7 years. I have been a school counselor since 1990 in various schools across Idaho and the U.S. At this time, I am writing to say that I disagree with the proposed decision to drop SAT testing for 11th graders in the state of Idaho and replace it with the ISAT. The SAT has meaning for more of our students than the ISAT and promotes the idea of going on to college, whatever that looks like for that student. I believe it would be a waste of time to test juniors with the ISAT-the test has no meaning or value to them. My guess is that this is a financial decision-I believe it is time for Idaho to take a stand and do what is best for our students.

--

Kim M. Draves
School Counselor

From: [Benson, Christi](#)
To: [Tracie L. Bent](#)
Subject: College Entrance Exam
Date: Monday, November 8, 2021 3:31:24 PM

Dear Ms. Bent,

I am emailing to submit my public comment on the deletion of the college entrance exam and the grade 11 SAT. I am in favor of this proposal based on experience as a school counselor. The administration of this exam to ALL 11th graders is very disruptive to instruction. It puts added responsibility not only on the counselors and admin but also on several teachers. Also, many colleges might be moving away from these tests for admissions.
Thanks,

From: [Peterson, Anne](#)
To: [Tracie L. Bent](#)
Subject: College Entrance Exams/Deleting grade 11 Sat comments
Date: Monday, November 8, 2021 2:36:57 PM

Good afternoon Tracie,

I just was forwarded this information from Christi Benson from TFHS. I am in favor of deleting the college entrance exams as well as deleting the SAT for 11th graders. I know that many of our students here at Magic Valley High School really struggle with standardized tests. I feel as though many of our students have severe test anxiety and perform poorly. I appreciate you allowing us to comment on this matter.

Thanks and have a good day!

Annie

Annie Peterson
Magic Valley High School

From: [Escobedo, Griselda](#)
To: [Tracie L. Bent](#)
Cc: [Christi Benson](#); [Daniel Hawkes](#); [Sorenson, Mariah](#); [Ryan Nesmith](#); [Griselda Escobedo](#); [Carolyn Weister](#)
Subject: Fwd: Public Comment to Admin Rules
Date: Tuesday, November 9, 2021 10:42:13 AM

Hello Ms. Tracie, I hope you are doing well. Yesterday our TFHS counseling department met and these are the questions we have regarding these proposed changes:

- College Entrance Exam
 - [Deletion of the College Entrance Exam graduation requirement](#)
Will the State require another test as a graduation requirement? Hopefully not, however will the State pay for any other required test? This test was only required to take however it was not required to pass or have a certain score.
 - [Deletion of grade 11 SAT](#)
Will the State pay for the students who want to take it? We know that Advanced Opportunity monies can be used to pay for tests (1 test only)
What about the PSAT? Will the state pay for students who want to take it? and For those that want to qualify for the National Merit Scholarship Program?
- ISAT
 - [Deletion of grade 10 ISAT](#)
We would rather keep it here because if it's a graduation requirement for students to Pass it, then it will give them the opportunity to retake it junior year.
 - [Addition of grade 11 ISAT](#)
Junior year is already a full year with state the core requirements, getting students ready for senior year, senior projects, etc... So moving the ISAT's to junior year is not the best option (unless it's a retake). Junior year is typically where counseling sees the most students struggling with stress and time management of their course load.
- Accountability
 - [Deletion of parent/student/teacher satisfaction survey](#)
We like this proposed change, however will other duties be added to schools and counselors, specially with the removing of SEL
 - [Addition of chronic absenteeism](#)
Will the attendance policy change and will students lose their credits? Will parents support the severity of chronic absenteeism and loss of credits?

From: [Callae Marcellus](#)
To: [Tracie L. Bent](#)
Subject: ISATs and SAT reqs
Date: Tuesday, November 9, 2021 7:21:03 AM

Good morning! I just had a few thoughts to share on removing the ISAT and SAT requirements.

As a school counselor and parent, I have appreciated this testing in general and would not be in favor of simply removing them. I think a good approach to this would be to avoid the "all or nothing" mentality. We have a small-ish percent of students who are not likely to use the testing, the testing causes undue stress to the student, the proctors, and the student's support staff. We also have quite a few students who are trade bound and while I appreciate that the current requirement does make sure those doors are open for all students, I think some flexibility with this would be best. To outright remove it though would be detrimental to our students who are college bound, applying for scholarships, and wanting to test out of classes. Not all students know as a sophomore or junior that they would like to someday choose college and in that light, I think it's best for the majority of our students to test. It is also a good data point in evaluating student progress and growth.

Thanks~

--

Callae E. Marcellus
Counselor (even graduation years), Filer High School

From: [Rod Jones](#)
To: [Tracie L. Bent](#)
Subject: Keep SAT for Juniors...
Date: Tuesday, November 9, 2021 9:59:00 AM

Tracie,

We would like to voice our opinion in KEEPING SAT tests and NOT replacing them with ISATs for Juniors.

Thanks,

--

From: [Mandolyn Garcia-Ruiz](#)
To: [Tracie L. Bent](#)
Subject: Public Comment for Administrative Rules
Date: Monday, November 8, 2021 3:55:15 PM

To whom it may concern,

Please accept my comments towards the College Entrance Exam graduation requirement and grade 11 SAT that will be voted on by the legislature.

As a former teacher and now currently an administrator and our district's state testing coordinator, I've had a lot of experience with planning and proctoring the SAT. In my experience, the majority of our students that are required to take it do not plan to go to college and do not take the test seriously. I've witnessed first-hand at least three times in the years that I've proctored the SAT that over half the students do not complete the college search portion of the student answer sheet. I have heard directly from a student's mouth, "I'm not going to college so why should I complete this?" That is reflective of their attitudes toward the SAT.

Additionally, it is very stressful on all staff involved to properly administer the SAT. From the time it takes to complete the training, to administering the test, to then completing the after-testing tasks, it's a considerable amount of time and stress on all those involved.

I feel I understand the purpose behind originally making a CEE and the 11th grade SAT participation mandatory in Idaho which was to promote Idaho students to "go on" as they say to higher education. This is certainly a wonderful goal and ambition. I would support the *optional* administration of the 11th grade SAT, very similar to how the PSAT is offered now without making it mandatory nor a graduation requirement. This would allow those who want to participate an opportunity to do so at no cost to them without forcing so many students that do not wish to participate the added stress and task of doing so.

Thank you for your consideration and acceptance of my comments and viewpoint.

Warmly,

Mandolyn Garcia-Ruiz

K-8 Assistant Principal, [District Testing Coordinator](#)
Inspire & Empower Connections Academy

From: [Dena Naccarato](#)
To: [Tracie L. Bent](#)
Subject: public comment on proposed rule changes
Date: Monday, November 1, 2021 4:55:53 PM

Good afternoon Tracie,

The Post Falls School District supports the deletion of the college entrance exam graduation requirement (to include the SAT). Further, we support moving the ISAT for high school students from the 10th grade to the 11th grade, deleting the parent/student satisfaction survey and adding chronic absenteeism.

Regards,

Dena Naccarato

Superintendent of Schools

Post Falls School District #273

208-773-1658

dena.naccarato@sd273.com

From: [Devin Simpson](#)
To: [Tracie L. Bent](#)
Subject: Public Comment on withdrawing form SAT
Date: Tuesday, November 9, 2021 10:34:08 AM

Hello,

I wanted to let you know that I believe that Idaho should continue the SAT for juniors as opposed to having them take part again in the ISAT. The ISAT seems to be primarily used for teacher evaluations and school rankings. The SAT could still be used to help provide another factor for ranking if that is a goal of the state, but most importantly students will still be able to use the scores for college opportunities and it actually gives more data as to how our students are performing compared to students across the nation. Thank you for your time.

Mr. Devin Simpson

Math Teacher
Murtaugh School District #418

From: [Sharee Hamilton](#)
To: [Tracie L. Bent](#)
Subject: Public comments
Date: Tuesday, November 9, 2021 12:00:40 PM

Hi, Tracie, I just wanted to add my comments about the deletion of the SAT and the addition of an 11th grade ISAT.

First, I can understand eliminating the SAT as a graduation requirement because not all of our students are college-bound and so it may not apply to all kids. It's also challenging to accurately assess some special education students who have accommodations not available for that test. The good thing about the SAT is that schools have gotten to a place of using the valid, reliable, detailed data we receive back from College Board to help us identify students who are college/career ready and those who may need extra support from teachers and/or independent resources like Khan Academy. I see Advanced Opps moving to a place of reimbursing students who go to take the SAT/ACT at a testing location on a Saturday, which I think is a good thing, but it will be hard for rural students like mine, who live 20 miles from a testing location to go in and test. So for those reasons, I would like to see the SAT (or ACT) remain an option for schools to administer as it removes barriers for some of our kids and it provides valid, reliable data back to schools and students and their families.

Second, I am not in favor of adding an 11th grade ISAT. I see students in middle school stop caring about their ISAT scores, and their apathy gets worse the older they get. ISAT results have no real-world connection for students. I know that the state assessment department considers it a responsibility of the school to motivate students to do their best, but teenagers are smart and can see that their performance on the test doesn't have any consequences for them, neither positive nor negative. I understand that schools are under federal testing guidelines so we have to do it, but for students and their families, the data they receive back isn't relatable to real life.

My school district chooses to administer the PSAT to grades 8-11 and we, along with our students and parents, feel that this provides us with valid, reliable data about our students' college and career readiness; the time to test is manageable and the turnaround time for results is still early in the school year so results interpretation with students has an impact.

IF the state needs to continue to gather testing data, I propose that they continue to use the SAT. The test time is under 4 hours and can easily be completed in one testing session. The ISAT would require schools to schedule 5 different test sessions (2 ELA, 2 math, 1 science), which interrupts the entire school day multiple times for multiple hours each time - not a good use of our limited learning time. Juniors should be thinking about life after high school and gathering information about their skills and interests, not spending useless time in a computer lab only to satisfy state testing requirements.

Lastly, I'm not sure what the accountability - addition of chronic absenteeism means, but that is something that school districts are very frustrated with, so if there are tools that can help us get kids to school, that would be great. If it's a negative marker for schools (as in, schools with high absenteeism are flagged), then that would be a different story.

Thank you for allowing public comment into such important issues.
Sincerely,
Sharee Hamilton

--

Sharee Hamilton MS, LPC
Counselor
Hansen School District

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

SUBJECT

Pending Omnibus Rule, Docket 55-0000-2100

REFERENCE

May 2019	Board approved temporary and proposed rules extending all rules codified June 30, 2019.
February 2020	Board approved temporary omnibus fee rule.
August 26, 2020	Board approved Proposed omnibus fee rule, Docket 08-0000-1900F.
November 2, 2020	Board approved pending omnibus fee rule.
June 2021	Board approved temporary omnibus rules, Dockets 08-0000-2100 and 55-0000-2100.
October 2021	Board approved proposed omnibus rule, Docket 55-0000-2100.

BACKGROUND/DISCUSSION

Each year Idaho's administrative code is scheduled to expire on June 30th. Each year the Legislature must pass legislation to extend the codified rules until June 30th of the following year. All rules codified at the start of the 2021 Legislative session expired on June 30, 2021, including those rules under IDAPA 55, rules governing career technical education.

Docket 55-0000-2100 recodifies:

- 55.01.03, Rules of Career Technical Schools
- 55.02.04, Rules Governing Idaho Quality Program Standards Incentive Grants and Agricultural Education Program Start-Up Grants

Amendments approved by the Board in the proposed rule provided technical corrections to IDAPA 55.01.03 and would codify IDAPA 55.02.04 with no changes from what was in place when the section of IDAPA expired June 30, 2021.

IMPACT

Pending rules approved by the Board will be submitted to the 2022 Legislature for consideration.

ATTACHMENTS

Attachment 1 – Pending Rule Docket 55-0000-2100

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules: temporary, proposed and pending. Proposed rules approved by the Board are published in the Idaho Administrative Rules Bulletin. Following publication there is a 21-day comment period. Based on comments received and Board direction, changes may be made to proposed rules prior to entering the pending stage. Pending rules are then brought back to the Board for final consideration. Once approved, pending rules

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

are submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected, in whole or in part, by the legislature.

The omnibus proposed fee rule was published in a special Administrative Rules Bulletin on October 20, 2021 (pages 5071 through 5079) and the public comment period ended on November 10, 2021.

There were no comments received during the public comment period and no changes made during the proposed and pending rule stages.

Staff recommends approval.

BOARD ACTION

I move to approve omnibus pending rule Docket 55-0000-2100 as provided in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

55.01.03 – RULES OF CAREER TECHNICAL SCHOOLS

000. LEGAL AUTHORITY.

The State Board of Education is designated as the State Board for Career Technical Education and is responsible to execute the laws of the state of Idaho relative to career technical education, administer state and federal funds, and through the administrator of the State Division of Career Technical Education, coordinate all efforts in career technical education (Section 33-2202 through 33-2212, Idaho Code). ()

001. SCOPE.

These rules serve the administration of Career Technical schools in Idaho and define the duties of the State Division of Career Technical Education. ()

002. -- 004. (RESERVED)

005. DEFINITIONS.

01. Administrator. A designated school administrator, holding a career technical administrator certificate pursuant to IDAPA 08.02.02, "Rules Governing Uniformity," Section 015, and who oversees and monitors the career technical school programs and is responsible for ensuring the school meets all applicable federal, state, and local school district regulations, rules, and policies. ()

02. Capstone Course. A culminating course that requires students to demonstrate the knowledge and skills learned throughout their program of study. ()

03. Career Technical Schools. Schools meeting the requirements of Section 33-1002G, Idaho Code, designed to provide high-end, state-of-the-art technical programs that foster quality technical education through intermediate and capstone courses. Programs and services are directly related to the preparation of high school students for employment in current or emerging occupations that require other than a baccalaureate or advanced degree. These schools are closely linked to postsecondary education, thereby avoiding redundancy and maintaining rigor. They are also closely linked to current business and industry standards to ensure relevance and quality. ()

04. Concentrator Student. A junior or senior enrolled in the capstone course. ()

05. Credit Hours. The total number of ~~enrolled-earned~~ credit hours reported to the ~~State Department of Education~~ state longitudinal data system for qualifying intermediate, capstone, and work-based learning courses. ()

06. EDUID. Education Unique Identifier. ()

07. Enrollment Units. The total number of individual EDUIDs that are reported as enrolled during the previous academic year in a qualifying capstone course, as determined by the division. ()

08. Intermediate Course. A course beyond the introductory level that adds to the technical competencies of pathway students, is intended to serve as a prerequisite for a capstone course, and is offered in grades 9 through 12. ()

09. Participation Total. The total number of technical skills assessments taken by enrolled concentrator students as part of each required capstone course during the previous academic year. ()

10. Technical Skills Assessment. An assessment given at the culmination of a pathway program during the capstone course and measures a student's understanding of the technical requirements of the occupational pathway. ()

11. Work-based Learning Course. A paid or unpaid, internship, clinical, or apprenticeship that is

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

delivered as part of a Career Technical School program of study. This course must be delivered in conjunction with or after completion of a capstone course. Work-based learning courses must be tied to the program of study, and must be formalized through a written agreement between the school, industry partner, parent, and student. ()

006. -- 101. (RESERVED)

102. CAREER TECHNICAL COMPONENT CRITERIA.

01. Program Criteria. Career technical schools are intended to deliver high-end career technical education programs that go beyond the scope of traditional career technical education. Labs are appropriately designed for the type of program and the number of students enrolled. The program has state-of-the-art equipment, current technology and strong links to business and industry. ()

02. Career Technical School Program. Each program of a career technical school shall: ()

a. Deliver a sequence of career technical education courses that culminate in a capstone course. ()

b. Meet all of the required technical competency credit standards established by the state board of education. ()

c. Develop and maintain business and industry partnerships in addition to the technical advisory committee. ()

d. Integrate industry-specific, state-of-the-art equipment and technologies into classroom instruction and applied learning opportunities for students. ()

e. Employ instructors who hold career technical certification to teach the occupation and who also hold a related industry-based credential, or equivalent credential, as approved by the Division of Career Technical Education. ()

f. Be delivered over a term of not less than five (5) semesters, or the equivalent instructional hours. Semester and trimester equivalencies will be approved by the Division of Career Technical Education. ()

g. Enroll students from at least two (2) high schools. No single high school will comprise more than eighty-five percent (85%) of the total enrolled career technical school students. In the event a student enrolled in the career technical school is not enrolled in a high school, that student will be reported separately, based on the high school attendance zone where the student resides. ()

h. Promote the development of leadership. ()

103. APPLICATION PROCESS.

New and renewal applications for career technical school funding must be received by the Division of Career Technical Education on or before the fifteenth of April for the following fiscal year. ()

104. CAREER TECHNICAL SCHOOL ADDED COST UNIT FUNDING AND ELIGIBILITY.

Section 33-1002G, Idaho Code, provides school districts an opportunity to establish career technical schools that qualify for funding appropriated for the specific purpose of supporting the added cost of career technical schools. The funds are appropriated to the State Board for Career Technical Education to be expended by the Division of Career Technical Education. Funding is distributed based on the number of students enrolled in a capstone course during the previous academic year, the aggregate total of the students who completed the technical skills assessment for the program the student was enrolled in, and the total credit hours reported by each school for intermediate, capstone, and work-based learning courses. If any approved program within a career technical school does not enroll students from more than one (1) high school during the previous academic year, the program will not be included in the current year funding calculation. If the overall school enrollment ~~school~~ exceeds more than eighty-five percent (85%) of students

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

from any single high school during the previous school year, the Division of Career Technical Education may withhold all or part of the career technical school's funding. ()

105. CAREER TECHNICAL SCHOOL FUNDING CALCULATION.

The distribution of individual career technical school funding will be calculated as a portion of the annual appropriation based on the following criteria: 50 percent (50%) of the annual appropriation will be divided among the total enrollment units, 25 percent (25%) will be divided by the participation total, and 25 percent (25%) will be divided among the total cumulative earned credit hours. Qualifying pathway enrollment will be reported to the [Department of Education](#) state. The Division of Career Technical Education will gather participation data from the independent technical skill assessment providers annually. ()

106. (RESERVED)

107. CAREER TECHNICAL SCHOOL UNIT FUND DISTRIBUTION.

Once the career technical appropriation is made, the per unit value will be determined by dividing the total units into the appropriation. The value of each unit may vary from year to year, depending on the total appropriation and the total number of units in each of the enrollment categories. ()

01. Payment Distribution. Added cost support unit funds shall be distributed by the Division of Career Technical Education in two (2) payments: ()

a. Seventy percent (70%) of the total appropriated funds for which career technical schools are eligible shall be distributed no later than September 30th each year. Funding will not be distributed until the previous year enrollment units are reported and the Division of Career Technical Education has verified aggregate participation data. ()

b. The remaining funds shall be distributed no later than June 30th. ()

108. ACCOUNTABILITY.

01. Assessment Process. The Division of Career Technical Education shall develop an assessment process that includes measures and standards for career technical school programs. ()

02. Reporting. No later than October 15 of each year, career technical schools will submit a report to the Division of Career Technical Education, detailing their enrollment at the program level by high school. ()

03. Administrator Responsibility. The administrator of each career technical school shall be responsible to provide onsite administration of the career technical school. The administrator will submit all required career technical school reports requested by the Division of Career Technical Education. ()

04. Accreditation. Each career technical school shall be accredited following Board of Education requirements. This accreditation shall be appropriate for the individual type of career technical school that is developed. ()

05. School Improvement Plan. The administration, faculty and staff at each career technical school is responsible to develop and implement a local school improvement plan based on the assessment process developed by the Division of Career Technical Education. ()

109. -- 999. (RESERVED)

**55.01.04 – RULES GOVERNING IDAHO QUALITY PROGRAM STANDARDS INCENTIVE GRANTS
AND AGRICULTURAL EDUCATION PROGRAM START-UP GRANTS**

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

000. LEGAL AUTHORITY

. This chapter is adopted under authority of Section 33-1629, Idaho Code. ()

001. SCOPE

. These rules govern the standards and procedures for application to the Idaho Quality Program Standards Incentive Grants and the Agricultural Education Program Start-up Grants as administered by the Idaho Division of Career Technical Education. ()

002. -- 009. (RESERVED)

010. DEFINITIONS AND ABBREVIATIONS.

01. Administrator. The administrator for the Division of Career Technical Education. ()

02. Agricultural and Natural Resources Program. A program approved by the Division of Career Technical Education that is a standards-based curriculum in agriculture, food and natural resources systems delivered through an integrated model that incorporates classroom and laboratory instruction, experiential learning and student leadership and personal development. ()

03. Board. The State Board for Career Technical Education. ()

04. Division. The Division of Career Technical Education. ()

05. FTE. Full Time Equivalent employee. ()

06. School District or District. A public school district or a charter school authorized by the Public Charter School Commission or school district. ()

011. -- 099. (RESERVED)

100. INCENTIVE GRANT.

01. Eligibility Requirements. Eligible applicants must meet quality program and instructor requirements as approved by the board. Applicants may re-apply each year regardless of whether they have received a previous grant award. ()

a. An agricultural and natural resources program in any grade, nine (9) through twelve (12), must first meet the minimum program-specific quality program standards as approved by the board. ()

b. Programs will be rated on a scale consisting of “non-existent,” “below basic,” “basic,” “qualified,” “distinguished,” and “exemplary.” Eligibility requires that the program must meet each of the program quality indicators at the level of “basic” or higher. Programs must also have an overall average rating of no less than “distinguished” for all program-specific quality standards. This average will be calculated using the quality indicators within each standard. Programs that do not meet the minimum quality standards requirements in one (1) year may be found eligible in subsequent year. Programs will be assessed by the division. ()

c. Instructors must teach in an agricultural and natural resources program that meets the quality program standards and must also meet the instructor-specific quality program standard as approved by the board. ()

d. Instructors will be rated on a scale consisting of “non-existent,” “below basic,” “basic,” “qualified,” “distinguished,” and “exemplary.” Eligibility requires that the instructor must meet each of the program quality indicators at the level of “basic” or higher. Instructors must also have an average rating of no less than “distinguished”

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

for all instructor-specific quality indicators. Instructors that do not meet the minimum quality standards requirements in one (1) year may be found eligible in a subsequent year. All instructors of agricultural and natural resources programs in grades nine (9) through twelve (12) are eligible to apply for the grant. ()

e. Payments to districts will be adjusted according to the percent of time an instructor teaches within an approved agricultural and natural resources program. ()

f. Should the division request additional information from a school district regarding a grant application, districts must respond to the request within the time period indicated. Failure to respond will result in the cancellation of the application and/or the forfeiture of the grant. ()

02. Application Process. The application process consists of a formal application and assessment. ()

a. To be considered for the grant, a school district must first complete and submit a formal application and supporting documentation on behalf of an instructor for an approved program according to the timeline established by the administrator. Applications may be submitted electronically to the division. In the event of a mailed application, applications must be postmarked no later than the timeline specified by the division. Instructors may not apply on their own behalf. ()

b. Following the receipt of an application, the division will conduct an assessment of the program and instructor to ensure they both meet the minimum eligibility requirements, as outlined in the quality program standards. At the administrator's discretion, the division may partner with additional subject-matter experts to assist in the evaluation. Assessments will be conducted each school year the instructor and program participate in the grant program. Districts will only be eligible to apply for the grant during the academic year the program received an assessment. Prior assessments cannot be used for subsequent grant applications. ()

03. Selection of Grant Recipients. Grants will be awarded annually based on the availability of grant funds and the number of qualified applicants. Grants will be awarded to applicants based on ranking in accordance with the following criteria: ()

a. Applicants will be ranked according to their overall score. Scores will be calculated using the sum of: ()

i. The average score of the program quality indicators; and ()

ii. The average score of the instructor-specific program quality indicators. ()

04. Incentive Grant Award. ()

a. Announcement of the grant award will be made following administrator approval through the distribution of a funding authorization letter. Prior to the distribution of the letter, the division will verify that the grant recipient continues to teach at the same school, in the same agricultural and natural resources program, and at the same FTE level as indicated on the formal application. ()

b. The total number of recipients will vary by year in accordance with the availability of funds and the qualifications of the applicant pool. Awards will be in the amount of ten thousand dollars (\$10,000) until available funds are exhausted or all qualified recipients have been awarded the grant. In the event that funds are exhausted and a qualified teacher does not receive the grant in the year he or she applies, that teacher will receive priority consideration for the grant the following year. If the teacher(s) reapplies and continues to meet the minimum qualifications the following year, he or she will be eligible to receive the grant regardless of where he or she ranks. Once the prioritized teacher(s) has been awarded funds, the remaining teachers will be ranked and funds will be awarded until the remaining funds have been exhausted. This cycle of prioritization may continue for multiple years; once a qualified teacher receives funds, he or she automatically moves back into the pool of teachers whose applications will be ranked in the following application cycle. Grants may be less than ten thousand dollars (\$10,000)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

when certain conditions exist:

()

i. In the event of a tie, and in those instances where the number of qualified applicants exceeds the available funds, grants will be awarded equally among those recipients with a tied score. ()

ii. Grants will be awarded using FTE to calculate the percent of time an instructor spends teaching within an approved agricultural and natural resources program. In the event an instructor teaches in an approved program in less than a full-time capacity, grants will be pro-rated according to the percent of time the instructor spends teaching in the approved program. ()

c. Grants are awarded on an annual basis and are not transferable. ()

d. The use of grant funds must be in accordance with division guidelines and must be clearly linked to the agricultural and natural resources program identified on the formal application. ()

e. Grant funds may be used to improve the agricultural and natural resources program, including but not limited to: ()

i. Offset travel and registration fees associated with educational workshops and/or professional training on behalf of the instructor; ()

ii. Purchase or repair equipment; or ()

iii. Purchase educational supplies/curricula. ()

f. Grant funds may not be used to: ()

i. Cover the costs of either salaries or benefits, including extended contracts; ()

ii. Offset expenses associated with the FFA organization or other student organizations; or ()

iii. Supplant other district funding sources, e.g. routine facility maintenance or improvements. ()

101. -- 199. (RESERVED)

200. START-UP GRANT.

01. Eligibility Requirements. A school district may apply for a start-up grant for a newly-approved agricultural and natural resources program or to re-establish an agricultural and natural resources program in any grade, nine (9) through twelve (12), when specific eligibility requirements are met. Districts are eligible to apply for the grant within the first three (3) fiscal years their program is approved or re-established. If a district applies for the grant but does not receive it, the district may reapply the following year(s). However, the district may only receive the grant once and may not apply beyond the three-year window. ()

a. To start a new program, districts are required to first complete a request for new secondary program of study form for a new agricultural and natural resources program in one (1) of the specified grades. The new agricultural and natural resources program must then be approved by the division prior to application for the grant. Expansions of existing programs, including the addition of new career pathways or additional staff, do not qualify as a new program. ()

b. To re-start a program, districts are required to first complete a Request for New Secondary Program of Study form to re-establish an agricultural and natural resources program in any grade nine (9) through twelve (12). The re-established agricultural and natural resources program must then be approved by the division prior to application for the grant. The re-established program must have been inactive for at least two (2) academic years to qualify for the grant. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

02. Application Process. A school district may submit an application for a new or re-established program. Completed applications, which must be authorized by the district superintendent, must be submitted to the division according to the timeline established by the administrator. In the event of a mailed application, the application must be postmarked no later than the timeline specified in the request. ()

a. Applications must include all required information outlined in the grant application, including specific documents detailing the district's proposed budget and long-term strategy for sustaining the program. ()

b. Should the division request additional information from a district regarding a grant application, districts must respond to the request within the time period indicated. Failure to respond will result in the cancellation of the application and/or the forfeiture of the grant. ()

03. Selection of Grant Recipients. Grants will be awarded annually by the division based on the availability of grant funds and the number of qualified programs. Grants will be awarded to districts based on ranking and priority that considers factors including but not limited to: the strength of the budget proposal, sustainability potential of the proposed program, and the history of prior grant awards. ()

04. Start-up Grant Award. Announcement of the grant award will be made following administrator approval through the distribution of a funding authorization letter. The total number of recipients will not exceed four awards annually, and may vary by year in accordance with the availability of funds and the qualifications of the applicant pool. Awards will be in the amount of twenty-five thousand dollars (\$25,000) until available funds are exhausted or all qualified recipients have been awarded the grant. ()

a. Grants are awarded on a one-time basis and are not renewable or transferable. If a district is awarded the grant for a new program, the program is ineligible for future awards should the program terminate and then be re-established. ()

b. Use of grant funds must be in accordance with division guidelines and must be clearly linked to the agricultural and natural resources program identified on the formal application. If a district fails to spend the entire award amount, those funds may not be carried forward to the next fiscal year. ()

c. Grant funds may be used to improve the agricultural and natural resources program, including but not limited to: ()

i. Offset travel and registration fees associated with educational workshops and/or professional training on behalf of the instructor; ()

ii. Purchase or repair equipment; ()

iii. Purchase educational supplies/curricula; or ()

iv. Start-up costs, up to one thousand dollars (\$1,000,) associated with establishing a new chapter of FFA or other relevant student organization. ()

d. Grant funds may not be used to: ()

i. Cover the costs of salaries and/or benefits, including extended contracts; ()

ii. Offset ongoing expenses associated with the FFA organization or other student organizations; or ()

iii. Supplant other district funding sources, e.g. routine facility maintenance or improvements. ()

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

201. -- 299. (RESERVED)

300. PAYMENTS.

Payment of grant funds will be made to the district once the final award determinations are made. For grants awarded under Section 100, funds will be made to the district on behalf of the instructor. No later than June 30 of the fiscal year the grant was received, the district must submit a detailed expenditure report to the Division. Each report is subject to review and verification by the Division and must detail that all expenditures were allowable under the grant and that all funds were spent within the fiscal year. Any unspent grant funds must be returned to the Division. ()

301. APPEALS.

Any grant applicant or recipient adversely affected by a decision made under provisions of these rules may appeal such adverse decision as follows. The grant applicant or recipient must appeal in writing no later than thirty (30) days following the announcement of the award, and the written statement must include the basis for the appeal. The appeal must be submitted to the administrator. The division shall acknowledge receipt of the appeal within seven (7) days. The administrator may or may not agree to review the action, or may appoint a subcommittee of three (3) persons to hear the appeal, including at least one (1) agricultural and natural resources professional. ()

01. Review. If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the administrator within fifteen (15) days from the time the subcommittee receives the appeal document. The grant applicant or recipient initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal. ()

02. Presentation. Following the subcommittee's decision, the administrator will present the subcommittee's recommendation to the board at the next regularly scheduled meeting of the board. The grant applicant or recipient initiating the appeal may, at the discretion of the board, be permitted to make a presentation to the board. ()

03. Final Decision. The decision of the board is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the board. The board will inform the incentive grant applicant or recipient in writing of the decision of the board. ()

302. -- 999. (RESERVED)

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

SUBJECT

Pending Omnibus Fee Rule Docket 08-0000-2100F

REFERENCE

May 2019	Board approved temporary and proposed rules extending all rules codified June 30, 2019.
February 2020	Board approved temporary omnibus fee rule
August 26, 2020	Board approved proposed omnibus fee rule, Docket 08-0000-2000F.
November 2, 2020	Board approved pending omnibus fee rule, Docket 08-0000-2000F.
October 2021	Board approved proposed omnibus fee rule, Docket 08-0000-2100F

BACKGROUND/DISCUSSION

Each year Idaho's administrative code is scheduled to expire on June 30th. Each year the Legislature must pass legislation to extend the codified rules until June 30th of the following year. During the 2019 Legislative Session this action was not taken and all previously codified rules expired on June 30, 2019.

Pending rules at the legislative level are divided into two categories, fee rules and non-fee rules. Rules that enact a fee must be affirmatively accepted by both the House of Representatives and the Senate to be enacted. Non-fee rules are not required to be accepted by both chambers. Through the normal rulemaking process only the specific sections or subsections of the rule that are being amended are included in a single docket, allowing dockets for fee rules to be handled separately from dockets with amendments to policy that are not creating or amending a fee. The Board has approved a pending fee rule codifying the fees as they existed prior to July 1, 2019 since the previously codified rules expired June 30, 2019. The legislature has not approved any fee rules since they expired in 2019.

Docket 08-0000-2100F covers all of the fees established in IDAPA 08:

- 08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools (Collected by the Office of the State Board of Education):
 - Subsection 200.07 Registration Fee, Postsecondary Educational Institutions
 - Subsection 300.06 Registration Fee, Proprietary Schools
 - Annual registration fee for initial registration or renewal of registration is equal to one-half of one percent (.5%) of the gross Idaho tuition revenue of the institution and proprietary schools during the previous tax reporting year (Jan 1 - Dec 31), but not less than one hundred dollars (\$100) and not to exceed five thousand dollars (\$5,000).

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

- 08.02.02, Rules Governing Uniformity
 - Subsection 066 Fees, Educator Certification (Collected by the State Department of Education)
 - Initial Certificate \$75.00
 - Renewal Certificate \$75.00
 - Alternate Route Authorization \$100
 - Additions or Changes to an Existing Certificate \$25
 - Replace an Existing Certificate \$10
 - Subsection 075.03, Fingerprinting and Background Investigation Checks(Collected by the State Department of Education)
 - Fingerprinting Processing Fee, All Applicants (excluding volunteers) \$28.25
 - Fingerprinting Processing Fee, Volunteers \$26.25
- 08.02.03, Rules Governing Thoroughness
 - Subsection 128, Curricular Materials Selection and Online Course Approval(Collected by the State Department of Education)
 - Curricular Materials Review submission fee \$60 or an amount equal to the retail price of each curricular material

IMPACT

If approved, the pending fee rule will be submitted to the 2022 Legislature for consideration. If accepted by both the Idaho House of Representative and the Idaho Senate the fees contained in IDAPA 08 will be restored at the same levels as they were in 2019.

ATTACHMENTS

Attachment 1 – Pending Fee Rule Docket 08-0000-2100F

STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules: temporary, proposed and pending. Proposed rules approved by the Board are published in the Idaho Administrative Rules Bulletin. Following publication there is a 21-day comment period. Based on comments received and Board direction, changes may be made to proposed rules prior to entering the pending stage. Pending rules are then brought back to the Board for final consideration. Once approved, pending rules are submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected, in whole or in part, by the legislature.

The omnibus proposed fee rule was published in a special Administrative Rules Bulletin on October 20, 2021 (pages 751 through 761) and the public comment period ended on November 10, 2021.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

There were no comments received during the public comment period and no changes made during the proposed and pending rule stages.

Staff recommends approval.

BOARD ACTION

I move to approve the pending omnibus fee rule Docket 08-0000-2100F, as provided in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

55.01.03 – RULES OF CAREER TECHNICAL SCHOOLS

000. LEGAL AUTHORITY.

The State Board of Education is designated as the State Board for Career Technical Education and is responsible to execute the laws of the state of Idaho relative to career technical education, administer state and federal funds, and through the administrator of the State Division of Career Technical Education, coordinate all efforts in career technical education (Section 33-2202 through 33-2212, Idaho Code). ()

001. SCOPE.

These rules serve the administration of Career Technical schools in Idaho and define the duties of the State Division of Career Technical Education. ()

002. -- 004. (RESERVED)

005. DEFINITIONS.

01. Administrator. A designated school administrator, holding a career technical administrator certificate pursuant to IDAPA 08.02.02, "Rules Governing Uniformity," Section 015, and who oversees and monitors the career technical school programs and is responsible for ensuring the school meets all applicable federal, state, and local school district regulations, rules, and policies. ()

02. Capstone Course. A culminating course that requires students to demonstrate the knowledge and skills learned throughout their program of study. ()

03. Career Technical Schools. Schools meeting the requirements of Section 33-1002G, Idaho Code, designed to provide high-end, state-of-the-art technical programs that foster quality technical education through intermediate and capstone courses. Programs and services are directly related to the preparation of high school students for employment in current or emerging occupations that require other than a baccalaureate or advanced degree. These schools are closely linked to postsecondary education, thereby avoiding redundancy and maintaining rigor. They are also closely linked to current business and industry standards to ensure relevance and quality. ()

04. Concentrator Student. A junior or senior enrolled in the capstone course. ()

05. Credit Hours. The total number of enrolled credit hours reported to the State Department of Education for qualifying intermediate, capstone, and work-based learning courses. ()

06. EDUID. Education Unique Identifier. ()

07. Enrollment Units. The total number of individual EDUIDs that are reported as enrolled during the previous academic year in a qualifying capstone course, as determined by the division. ()

08. Intermediate Course. A course beyond the introductory level that adds to the technical competencies of pathway students, is intended to serve as a prerequisite for a capstone course, and is offered in grades 9 through 12. ()

09. Participation Total. The total number of technical skill assessments taken by enrolled concentrator students as part of each required capstone course during the previous academic year. ()

10. Technical Skill Assessment. An assessment given at the culmination of a pathway program during the capstone course and measures a student's understanding of the technical requirements of the occupational pathway. ()

11. Work-based Learning Course. A paid or unpaid, internship, clinical, or apprenticeship that is delivered as part of a Career Technical School program of study. This course must be delivered in conjunction with

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

or after completion of a capstone course. Work-based learning courses must be tied to the program of study, and must be formalized through a written agreement between the school, industry partner, parent, and student. ()

006. -- 101. (RESERVED)

102. CAREER TECHNICAL COMPONENT CRITERIA.

01. Program Criteria. Career technical schools are intended to deliver high-end technical education programs that go beyond the scope of traditional career technical education. Labs are appropriately designed for the type of program and the number of students enrolled. The program has state-of-the-art equipment, current technology and strong links to business and industry. ()

02. Career Technical School Program. Each program of a career technical school shall: ()

- a.** Deliver a sequence of career technical education courses that culminate in a capstone course. ()
- b.** Meet all of the required technical competency credit standards established by the state board of education. ()
- c.** Develop and maintain business and industry partnerships in addition to the technical advisory committee. ()
- d.** Integrate industry-specific, state-of-the-art equipment and technologies into classroom instruction and applied learning opportunities for students. ()
- e.** Employ instructors who hold career technical certification to teach the occupation and who also hold a related industry-based credential, or equivalent credential, as approved by the Division of Career Technical Education. ()
- f.** Be delivered over a term of not less than five (5) semesters, or the equivalent instructional hours. Semester and trimester equivalencies will be approved by the Division of Career Technical Education. ()
- g.** Enroll students from at least two (2) high schools. No single high school will comprise more than eighty-five percent (85%) of the total enrolled career technical school students. In the event a student enrolled in the career technical school is not enrolled in a high school, that student will be reported separately, based on the high school attendance zone where the student resides. ()
- h.** Promote the development of leadership. ()

103. APPLICATION PROCESS.

New and renewal applications for career technical school funding must be received by the Division of Career Technical Education on or before the fifteenth of April for the following fiscal year. ()

104. CAREER TECHNICAL SCHOOL ADDED COST UNIT FUNDING AND ELIGIBILITY.

Section 33-1002G, Idaho Code, provides school districts an opportunity to establish career technical schools that qualify for funding appropriated for the specific purpose of supporting the added cost of career technical schools. The funds are appropriated to the State Board for Career Technical Education to be expended by the Division of Career Technical Education. Funding is distributed based on the number of students enrolled in a capstone course during the previous academic year, the aggregate total of the students who completed the technical skill assessment for the program the student was enrolled in, and the total credit hours reported by each school for intermediate, capstone, and work-based learning courses. If any approved program within a career technical school does not enroll students from more than one (1) high school during the previous academic year, the program will not be included in the current year funding calculation. If the overall enrollment school exceeds more than eighty-five percent (85%) of students from any single high school during the previous school year, the Division of Career Technical Education may withhold all

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

or part of the career technical school's funding.

()

105. CAREER TECHNICAL SCHOOL FUNDING CALCULATION.

The distribution of individual career technical school funding will be calculated as a portion of the annual appropriation based on the following criteria: 50 percent (50%) of the annual appropriation will be divided among the total enrollment units, 25 percent (25%) will be divided by the participation total, and 25 percent (25%) will be divided among the total cumulative credit hours. Qualifying pathway enrollment will be reported to the Department of Education. The Division of Career Technical Education will gather participation data from the independent technical skill assessment providers annually.

()

106. (RESERVED)

107. CAREER TECHNICAL SCHOOL UNIT FUND DISTRIBUTION.

Once the career technical appropriation is made, the per unit value will be determined by dividing the total units into the appropriation. The value of each unit may vary from year to year, depending on the total appropriation and the total number of units in each of the enrollment categories.

()

01. Payment Distribution. Added cost support unit funds shall be distributed by the Division of Career Technical Education in two (2) payments:

()

a. Seventy percent (70%) of the total appropriated funds for which career technical schools are eligible shall be distributed no later than September 30th each year. Funding will not be distributed until the previous year enrollment units and the Division of Career Technical Education has verified aggregate participation data.

()

b. The remaining funds shall be distributed no later than June 30th.

()

108. ACCOUNTABILITY.

01. Assessment Process. The Division of Career Technical Education shall develop an assessment process that includes measures and standards for career technical school programs.

()

02. Reporting. No later than October 15 of each year, career technical schools will submit a report to the Division of Career Technical Education, detailing their enrollment at the program level by high school.

()

03. Administrator Responsibility. The administrator of each career technical school shall be responsible to provide onsite administration of the career technical school. The administrator will submit all required career technical school reports requested by the Division of Career Technical Education.

()

04. Accreditation. Each career technical school shall be accredited following Board of Education requirements. This accreditation shall be appropriate for the individual type of career technical school that is developed.

()

05. School Improvement Plan. The administration, faculty and staff at each career technical school is responsible to develop and implement a local school improvement plan based on the assessment process developed by the Division of Career Technical Education.

()

109. -- 999. (RESERVED)

**55.01.04 – RULES GOVERNING IDAHO QUALITY PROGRAM STANDARDS INCENTIVE GRANTS
AND AGRICULTURAL EDUCATION PROGRAM START-UP GRANTS**

000. LEGAL AUTHORITY

.

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

This chapter is adopted under authority of Section 33-1629, Idaho Code.

()

001. SCOPE

These rules govern the standards and procedures for application to the Idaho Quality Program Standards Incentive Grants and the Agricultural Education Program Start-up Grants as administered by the Idaho Division of Career Technical Education.

()

002. -- 009. (RESERVED)

010. DEFINITIONS AND ABBREVIATIONS.

01. Administrator. The administrator for the Division of Career Technical Education. ()

02. Agricultural and Natural Resources Program. A program approved by the Division of Career Technical Education that is a standards-based curriculum in agriculture, food and natural resources systems delivered through an integrated model that incorporates classroom and laboratory instruction, experiential learning and student leadership and personal development. ()

03. Board. The State Board for Career Technical Education. ()

04. Division. The Division of Career Technical Education. ()

05. FTE. Full Time Equivalent employee. ()

06. School District or District. A public school district or a charter school authorized by the Public Charter School Commission or school district. ()

011. -- 099. (RESERVED)

100. INCENTIVE GRANT.

01. Eligibility Requirements. Eligible applicants must meet quality program and instructor requirements as approved by the board. Applicants may re-apply each year regardless of whether they have received a previous grant award. ()

a. An agricultural and natural resources program in any grade, nine (9) through twelve (12), must first meet the minimum program-specific quality program standards as approved by the board. ()

b. Programs will be rated on a scale consisting of “non-existent,” “below basic,” “basic,” “qualified,” “distinguished,” and “exemplary.” Eligibility requires that the program must meet each of the program quality indicators at the level of “basic” or higher. Programs must also have an overall average rating of no less than “distinguished” for all program-specific quality standards. This average will be calculated using the quality indicators within each standard. Programs that do not meet the minimum quality standards requirements in one (1) year may be found eligible in subsequent year. Programs will be assessed by the division. ()

c. Instructors must teach in an agricultural and natural resources program that meets the quality program standards and must also meet the instructor-specific quality program standard as approved by the board. ()

d. Instructors will be rated on a scale consisting of “non-existent,” “below basic,” “basic,” “qualified,” “distinguished,” and “exemplary.” Eligibility requires that the instructor must meet each of the program quality indicators at the level of “basic” or higher. Instructors must also have an average rating of no less than “distinguished” for all instructor-specific quality indicators. Instructors that do not meet the minimum quality standards requirements in one (1) year may be found eligible in a subsequent year. All instructors of agricultural and natural resources

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021**

ATTACHMENT 1

programs in grades nine (9) through twelve (12) are eligible to apply for the grant. ()

e. Payments to districts will be adjusted according to the percent of time an instructor teaches within an approved agricultural and natural resources program. ()

f. Should the division request additional information from a school district regarding a grant application, districts must respond to the request within the time period indicated. Failure to respond will result in the cancellation of the application and/or the forfeiture of the grant. ()

02. Application Process. The application process consists of a formal application and assessment. ()

a. To be considered for the grant, a school district must first complete and submit a formal application and supporting documentation on behalf of an instructor for an approved program according to the timeline established by the administrator. Applications may be submitted electronically to the division. In the event of a mailed application, applications must be postmarked no later than the timeline specified by the division. Instructors may not apply on their own behalf. ()

b. Following the receipt of an application, the division will conduct an assessment of the program and instructor to ensure they both meet the minimum eligibility requirements, as outlined in the quality program standards. At the administrator's discretion, the division may partner with additional subject-matter experts to assist in the evaluation. Assessments will be conducted each school year the instructor and program participate in the grant program. Districts will only be eligible to apply for the grant during the academic year the program received an assessment. Prior assessments cannot be used for subsequent grant applications. ()

03. Selection of Grant Recipients. Grants will be awarded annually based on the availability of grant funds and the number of qualified applicants. Grants will be awarded to applicants based on ranking in accordance with the following criteria: ()

a. Applicants will be ranked according to their overall score. Scores will be calculated using the sum of: ()

i. The average score of the program quality indicators; and ()

ii. The average score of the instructor-specific program quality indicators. ()

04. Incentive Grant Award. ()

a. Announcement of the grant award will be made following administrator approval through the distribution of a funding authorization letter. Prior to the distribution of the letter, the division will verify that the grant recipient continues to teach at the same school, in the same agricultural and natural resources program, and at the same FTE level as indicated on the formal application. ()

b. The total number of recipients will vary by year in accordance with the availability of funds and the qualifications of the applicant pool. Awards will be in the amount of ten thousand dollars (\$10,000) until available funds are exhausted or all qualified recipients have been awarded the grant. In the event that funds are exhausted and a qualified teacher does not receive the grant in the year he or she applies, that teacher will receive priority consideration for the grant the following year. If the teacher(s) reapplies and continues to meet the minimum qualifications the following year, he or she will be eligible to receive the grant regardless of where he or she ranks. Once the prioritized teacher(s) has been awarded funds, the remaining teachers will be ranked and funds will be awarded until the remaining funds have been exhausted. This cycle of prioritization may continue for multiple years; once a qualified teacher receives funds, he or she automatically moves back into the pool of teachers whose applications will be ranked in the following application cycle. Grants may be less than ten thousand dollars (\$10,000) when certain conditions exist: ()

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

- i. In the event of a tie, and in those instances where the number of qualified applicants exceeds the available funds, grants will be awarded equally among those recipients with a tied score. ()
- ii. Grants will be awarded using FTE to calculate the percent of time an instructor spends teaching within an approved agricultural and natural resources program. In the event an instructor teaches in an approved program in less than a full-time capacity, grants will be pro-rated according to the percent of time the instructor spends teaching in the approved program. ()
- c. Grants are awarded on an annual basis and are not transferable. ()
- d. The use of grant funds must be in accordance with division guidelines and must be clearly linked to the agricultural and natural resources program identified on the formal application. ()
- e. Grant funds may be used to improve the agricultural and natural resources program, including but not limited to: ()
 - i. Offset travel and registration fees associated with educational workshops and/or professional training on behalf of the instructor; ()
 - ii. Purchase or repair equipment; or ()
 - iii. Purchase educational supplies/curricula. ()
- f. Grant funds may not be used to: ()
 - i. Cover the costs of either salaries or benefits, including extended contracts; ()
 - ii. Offset expenses associated with the FFA organization or other student organizations; or ()
 - iii. Supplant other district funding sources, e.g. routine facility maintenance or improvements. ()

101. -- 199. (RESERVED)

200. START-UP GRANT.

01. Eligibility Requirements. A school district may apply for a start-up grant for a newly-approved agricultural and natural resources program or to re-establish an agricultural and natural resources program in any grade, nine (9) through twelve (12), when specific eligibility requirements are met. Districts are eligible to apply for the grant within the first three (3) fiscal years their program is approved or re-established. If a district applies for the grant but does not receive it, the district may reapply the following year(s). However, the district may only receive the grant once and may not apply beyond the three-year window. ()

a. To start a new program, districts are required to first complete a request for new secondary program of study form for a new agricultural and natural resources program in one (1) of the specified grades. The new agricultural and natural resources program must then be approved by the division prior to application for the grant. Expansions of existing programs, including the addition of new career pathways or additional staff, do not qualify as a new program. ()

b. To re-start a program, districts are required to first complete a Request for New Secondary Program of Study form to re-establish an agricultural and natural resources program in any grade nine (9) through twelve (12). The re-established agricultural and natural resources program must then be approved by the division prior to application for the grant. The re-established program must have been inactive for at least two (2) academic years to qualify for the grant. ()

02. Application Process. A school district may submit an application for a new or re-established

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

program. Completed applications, which must be authorized by the district superintendent, must be submitted to the division according to the timeline established by the administrator. In the event of a mailed application, the application must be postmarked no later than the timeline specified in the request. ()

a. Applications must include all required information outlined in the grant application, including specific documents detailing the district's proposed budget and long-term strategy for sustaining the program. ()

b. Should the division request additional information from a district regarding a grant application, districts must respond to the request within the time period indicated. Failure to respond will result in the cancellation of the application and/or the forfeiture of the grant. ()

03. Selection of Grant Recipients. Grants will be awarded annually by the division based on the availability of grant funds and the number of qualified programs. Grants will be awarded to districts based on ranking and priority that considers factors including but not limited to: the strength of the budget proposal, sustainability potential of the proposed program, and the history of prior grant awards. ()

04. Start-up Grant Award. Announcement of the grant award will be made following administrator approval through the distribution of a funding authorization letter. The total number of recipients will not exceed four awards annually, and may vary by year in accordance with the availability of funds and the qualifications of the applicant pool. Awards will be in the amount of twenty-five thousand dollars (\$25,000) until available funds are exhausted or all qualified recipients have been awarded the grant. ()

a. Grants are awarded on a one-time basis and are not renewable or transferable. If a district is awarded the grant for a new program, the program is ineligible for future awards should the program terminate and then be re-established. ()

b. Use of grant funds must be in accordance with division guidelines and must be clearly linked to the agricultural and natural resources program identified on the formal application. If a district fails to spend the entire award amount, those funds may not be carried forward to the next fiscal year. ()

c. Grant funds may be used to improve the agricultural and natural resources program, including but not limited to: ()

i. Offset travel and registration fees associated with educational workshops and/or professional training on behalf of the instructor; ()

ii. Purchase or repair equipment; ()

iii. Purchase educational supplies/curricula; or ()

iv. Start-up costs, up to one thousand dollars (\$1,000,) associated with establishing a new chapter of FFA or other relevant student organization. ()

d. Grant funds may not be used to: ()

i. Cover the costs of salaries and/or benefits, including extended contracts; ()

ii. Offset ongoing expenses associated with the FFA organization or other student organizations; or ()

iii. Supplant other district funding sources, e.g. routine facility maintenance or improvements. ()

201. -- 299. (RESERVED)

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
NOVEMBER 29, 2021

ATTACHMENT 1

300. PAYMENTS.

Payment of grant funds will be made to the district once the final award determinations are made. For grants awarded under Section 100, funds will be made to the district on behalf of the instructor. No later than June 30 of the fiscal year the grant was received, the district must submit a detailed expenditure report to the Division. Each report is subject to review and verification by the Division and must detail that all expenditures were allowable under the grant and that all funds were spent within the fiscal year. Any unspent grant funds must be returned to the Division. ()

301. APPEALS.

Any grant applicant or recipient adversely affected by a decision made under provisions of these rules may appeal such adverse decision as follows. The grant applicant or recipient must appeal in writing no later than thirty (30) days following the announcement of the award, and the written statement must include the basis for the appeal. The appeal must be submitted to the administrator. The division shall acknowledge receipt of the appeal within seven (7) days. The administrator may or may not agree to review the action, or may appoint a subcommittee of three (3) persons to hear the appeal, including at least one (1) agricultural and natural resources professional. ()

01. Review. If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the administrator within fifteen (15) days from the time the subcommittee receives the appeal document. The grant applicant or recipient initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal. ()

02. Presentation. Following the subcommittee's decision, the administrator will present the subcommittee's recommendation to the board at the next regularly scheduled meeting of the board. The grant applicant or recipient initiating the appeal may, at the discretion of the board, be permitted to make a presentation to the board. ()

03. Final Decision. The decision of the board is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the board. The board will inform the incentive grant applicant or recipient in writing of the decision of the board. ()

302. -- 999. (RESERVED)