

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 24, 2022**

TAB	DESCRIPTION	ACTION
1	BOARD POLICY BY-LAWS – FIRST READING AND BOARD POLICY I.U. PRESIDENTS LEADERSHIP COUNCIL – FIRST READING	Action Item
2	BOARD POLICY IV.B. – EDUCATOR CERTIFICATION – ENDORSEMENT REQUIREMENTS – SECOND READING	Action Item
3	BOARD POLICY IV.E. DIVISION OF CAREER TECHNICAL EDUCATION – SECOND READING – PROGRAM CONTENT STANDARDS	Action Item
4	2023 LEGISLATION	Action Item
5	PROPOSED RULE – DOCKET 08-0111-2201 – REGISTRATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS PROPRIETARY SCHOOLS	Action Item
6	PROPOSED RULE – DOCKET 08-0113-2201 – RULES GOVERNING THE OPPORTUNITY SCHOLARSHIP	Action Item
7	PROPOSED RULE – DOCKET 08-0202-2201 – RULES GOVERNING UNIFORMITY	Action Item
8	PROPOSED RULE – DOCKET 08-0203-2201 – RULES GOVERNING THOROUGHNESS	Action Item
9	PROPOSED RULE – DOCKET 08-0204-2201 – RULES GOVERNING PUBLIC CHARTER SCHOOLS AND DOCKET 08-0301-2201 – RULES OF THE PUBLIC CHARTER SCHOOL COMMISSION	Action Item

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SUBJECT

Board Policy - Bylaws – First Reading

REFERENCE

June 2016	The Board approved the first reading of proposed amendments to the Board Bylaws regarding actions at meetings that were not in existing Board policy and amendments to the Audit Committee.
August 2016	The Board approved the second reading of amendments to the Board Bylaws.
August 2019	The Presidents' Council presented to the Board a new proposed role for the Council and proposed changes to the name of the Council.
December 2019	Board approved the first reading of proposed amendments to the Board Bylaws eliminating non-functioning committees and restructuring the Presidents Council reporting.
February 2020	Board approved second reading of proposed amendments.
February 2022	Board approved the first reading of proposed amendments to the Board Bylaws, clarifying Board committee roles.
April 2022	Board approved second reading of proposed amendments.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies and Procedures - Bylaws

BACKGROUND/DISCUSSION

The proposed amendments to the bylaws are twofold, first to move the Presidents Leadership Council into its own section of Board policy and second to update the Audit Committee provisions.

The Board's bylaws establish the Board's operating procedures, including, but not limited to identifying the roles of the Board officers, meeting rules of order, and establishment of Board standing committees and their scope of operations. With the exception of the Audit Committee, all of the Board's standing committees established through the bylaws are made up of only Board members. All other committees of the Board, referred to as "ad hoc" committees, are established through the Board's Governing Policies and Procedures. Committees formed through the Board's Governing Policies and Procedures generally include education community stakeholders and may also include one or two Board members. The one exception to this is the Presidents' Leadership Council, the members of which are the institution presidents, with the Administrator of the Division of Career Technical Education and the Executive Director serving as ex-officio member.

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The Presidents' Leadership Council was originally established in the Board's bylaws as a working unit to the Planning, Policy and Governmental Affairs Committee. Now that the Presidents' Leadership Council is no longer a working unit of the Planning, Policy and Governmental Affairs Committee, it should be moved out into its own section of Board policy. The first amendment to the bylaws would remove the the Presidents' Leadership Council. The Council would be relocated into a new Governing Policy and Procedures section, Section I.U. Other than the creation of the new section of Board policy, there are no additional amendments proposed to the purpose or makeup of the Presidents' Leadership Council.

The other proposed amendments to the Board's bylaws update the Audit Committee provisions by amending the name to include the broader scope of the committee, update terminology, and provide additional provisions around the membership of the committee.

IMPACT

The proposed amendment to the Board bylaws would move the language regarding the Presidents' Leadership Council into a standalone policy consistent with other committees established by the Board and update the existing provision regarding the Audit Committee to align with current auditing standards and the shift in the internal auditing functions.

ATTACHMENTS

- Attachment 1 – Bylaws – First Reading
- Attachment 2 – Board Policy I.U. Presidents' Leadership Council

BOARD STAFF COMMENTS AND RECOMMENDATIONS

The proposed amendments to the bylaws have been discussed with the Audit Committee and the Committee has had an opportunity to provide feedback. Additional amendments to Board policy V.H. Audit will come forward to the Board at a later meeting, pending Board action on the edits made to the bylaws. Future edits to Board policy V.H. would include aligning the policy with the proposed bylaws changes, incorporating provisions around compliance and repealing Board policy V.Y. compliance.

Staff recommends approval.

BOARD ACTION

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

Moved by _____ Seconded by _____ Carried Yes _____ No _____

AND

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I move to approve the first reading of Board policy I.U. Presidents' Leadership Council as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: I. BYLAWS (Operational Procedures)

[April-October 2022](#)

A. Office of the State Board of Education

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

B. Meetings

1. The Board will maintain a 12-month rolling meeting schedule. To accomplish this, the Board will, at each of its regularly scheduled meetings, update its 12-month rolling schedule of Board meetings, provided, however, that the Board by majority vote, or the Board president after consultation with Board members, may reschedule or cancel any meeting.
2. The Board may hold special meetings by vote of a majority of the Board taken during any regular meeting or by call of the Board president.
3. All meetings of the Board are held at such place or places as may be determined by the Board.
4. Actions that impact ongoing future behavior of agencies and institutions shall be incorporated into Board policy. Actions limited to a specific request from an institution or agency, if not acted on within one year of approval, must be brought back to the Board for reconsideration prior to action by the institution or agency. This requirement does not apply to program approval time limits.

C. Rules of Order

1. Meetings of the Board are conducted in accordance with controlling statutes and applicable bylaws, regulations, procedures, or policies. In the absence of such statutes, bylaws, regulations, procedures, or policies, meetings are conducted in accordance with the current edition of *Robert's Rules of Order, Newly Revised*.
2. A quorum of the Board consists of five (5) Board members.
3. With the exception of procedural motions, all motions, resolutions, or other propositions requiring Board action will, whenever practicable, be reduced to writing before submission to a vote.

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

D. Officers and Representatives

1. The officers of the Board include:
 - a. A president, a vice president, and a secretary, who are members of the Board.
 - b. An executive secretary, who is the state superintendent of public instruction.
2. The president, vice president, and secretary are elected at the organizational meeting for one (1) year terms and hold office until their successors are elected. Vacancies in these offices are filled by election for the remainder of the unexpired term.
3. Board representatives to serve on other boards, commissions, committees, and similar bodies are appointed by the Board president.
4. The executive director is appointed by and serves at the pleasure of the Board unless the contract of employment specifies otherwise. The executive director serves as the chief executive officer of the Office of the State Board of Education.

E. Duties of Board Officers

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

carries out the Board's policies between meetings.

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

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

4. Executive Secretary

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

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

5. Executive Director

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

F. Standing Committees of the Board

The Board may organize itself into standing and other committees as necessary. Committee members are appointed by the Board president after informal consultation with other Board members. Any such standing committee is responsible for performing work pursuant to Board policy or delegation. Such committees may not take any action, except when authority to act has been delegated by the Board. The Board president may serve as an ex-officio member of any standing or other committee. The

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procedural guidelines for Board committees appear in the Board Governing Policies and Procedures.

For purposes of the bylaws, the University of Idaho, Boise State University, Idaho State University, Lewis-Clark State College, College of Eastern Idaho, College of Western Idaho, College of Southern Idaho, and North Idaho College are included in references to the “institutions;” and Idaho Public Television, the Division of Vocational Rehabilitation, the Division of Career Technical Education, and the State Department of Education, are included in references to the “agencies.” An institution or agency may, at its option and with concurrence of the Board president, comment on any committee report or recommendation.

1. Planning, Policy and Governmental Affairs Committee

a. Purpose

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

b. Composition

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

c. Responsibilities and Procedures

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

- i. Long range planning and coordination;

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

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

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

2. Instruction, Research and Student Affairs Committee

a. Purpose

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

b. Composition

The Instruction, Research and Student Affairs Committee is composed of two (2) or more members of the Board, appointed by the president of the Board, who designates one (1) member to serve as chairperson and spokesperson of the committee, and is staffed by the Board's Chief Academic Officer. The Instruction, Research and Student Affairs Committee may appoint a working unit or units, as necessary, to advise the committee. One such working unit shall be the Council on Academic Affairs and Programs (CAAP), which shall be composed of the Board's Chief Academic Officer and the chief academic officers of the institutions and agencies. The chairperson presents all committee and working group recommendations to the Board.

c. Responsibilities and Procedures

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

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

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

3. Business Affairs and Human Resources Committee

a. Purpose

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

b. Composition

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

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Chief Fiscal Officer and the chief financial officers of the institutions and agencies. The chairperson presents all committee updates to the Board.

c. Responsibilities and Procedures

The Business Affairs and Human Resources Committee is responsible, through its various working unit or units, for providing guidance on the implementation of Board action to the institutions and agencies under the Board in the following general areas:

- i. Agency and institutional financial agenda items;
- ii. Coordination and development of guidelines and information for agency and institutional budget requests and operating budgets;
- iii. Long-range fiscal planning;
- iv. Fiscal analysis of the following:
 - 1) New and expanded financial programs;
 - 2) Establishment, discontinuance or change in designation of administrative units;
 - 3) Consolidation, relocation, or discontinuance of programs;
 - 4) New facilities and any major modifications to facilities which would result in changes in programs or program capacity;
 - 5) Student fees and tuition; and
 - 6) Other matters as assigned by the Board.

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

4. Audit, [Risk and Compliance](#) Committee

a. Purpose

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

b. Composition

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

All members shall have an understanding of ~~the Committee and~~ financial affairs and the ability to exercise independent judgment. Committee appointments will be made in such a way that collectively the eCommittee membership possesses sufficient knowledge of internal audit, external audit, accounting, finance, information technology, compliance, risk management, higher education, and governance concepts. ~~and at~~At least one member of the ~~C~~committee shall have current accounting or related financial management expertise in the following areas:

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

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

c. Responsibilities and Procedures

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

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

The Audit, Risk and Compliance Committee will meet ~~as needed~~ at least four times per year. The ~~C~~committee may establish necessary procedures to carry out its responsibilities. Such procedures must be consistent with the Board's Governing Policies and Procedures. The Board's Chief Fiscal Officer, under the direction of the chair, prepares the agenda for work that is under consideration at each meeting of the Board.

5. Executive Committee

a. Purpose

The Executive Committee is responsible for assisting the full Board in discharging its responsibilities with respect to the management of the business and affairs of the Board and the Board Office, to consider matters concerning the Board that may arise from time to time, and to provide direction to the executive director on any of such matters.

b. Composition

The Executive Committee is composed of the current Board President, Vice President, and Secretary, and the immediate past Board President. The Board's Executive Director also shall serve on the Executive Committee. The current Board President serves as chairperson of the committee. In the event the past Board President is unable to serve on the Executive Committee, then the Board President may appoint another member of the Board to serve in the place of such former officer.

c. Responsibilities and Procedures

The Executive Committee shall have such duties, responsibilities, and authority as may be delegated from time to time to the Executive Committee by the Board, and in the intervals between meetings of the Board, the Executive Committee shall, in conjunction with the executive director, assist in directing the management of the business and affairs of the Board. However, the Executive Committee may not undertake any action that, pursuant to any applicable law, rule, or policy of the Board, must be performed by another committee of the Board, or which must be acted upon by the whole Board in public session. The Board's executive director, under the direction of the Board President, prepares the agenda for and schedules each meeting of the Executive Committee, which may be conducted telephonically. A written record is not kept of the committee's activities, but it shall be the responsibility of the executive director to promptly communicate to all Board members who are not members of the committee regarding information related to the committee's discussions and activities.

G. Committee Presentations

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

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

~~H. Presidents Leadership Council~~

~~1. Purpose~~

~~The Presidents Leadership Council convenes to serve the public good by providing a common leadership voice to educate, innovate, advocate and advance a vision and blueprint for higher education in Idaho at the direction of the Board. The Presidents Leadership Council may also choose or be directed by the Board to meet with other workgroups and committees for exchanges of information or to discuss projects of benefit to the entire system. The Presidents Leadership Council reports to the Board in the manner directed by the Board President.~~

~~2. Composition~~

~~The Presidents Leadership Council is composed of the presidents of the University of Idaho, Idaho State University, Boise State University, Lewis Clark State College; and the presidents of North Idaho College, College of Eastern Idaho, College of Western Idaho and the College of Southern Idaho, each of whom has one (1) vote. One (1) of the voting members shall serve as chair of the Council, with a chair selected each academic year generally rotating among the respective members. The administrator of the Division of Career Technical Education and the Board's Executive Director shall be ex-officio members of the Council.~~

~~3. Duties of the Chair~~

~~The Chair:~~

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

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

**Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES**

SECTION: I. General Policies

SUBSECTION: U. Presidents' Leadership Council

October 2022

1. Purpose

The Presidents Leadership Council convenes to serve the public good by providing a common leadership voice to educate, innovate, advocate and advance a vision and blueprint for higher education in Idaho at the direction of the Board. The Presidents Leadership Council may also choose or be directed by the Board to meet with other workgroups and committees for exchanges of information or to discuss projects of benefit to the entire system. The Presidents Leadership Council reports to the Board in the manner directed by the Board President.

2. Composition

The Presidents Leadership Council is composed of the presidents of the University of Idaho, Idaho State University, Boise State University, Lewis-Clark State College; and the presidents of North Idaho College, College of Eastern Idaho, College of Western Idaho and the College of Southern Idaho, each of whom has one (1) vote. One (1) of the voting members shall serve as chair of the Council, with a chair selected each academic year generally rotating among the respective members. The administrator of the Division of Career Technical Education and the Board's Executive Director shall be ex-officio members of the Council.

3. Duties of the Chair

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

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

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SUBJECT

Board Policy IV.B. State Department of Education – Instructional Certificate Endorsements – Second Reading

REFERENCE

April 2016	The Board approved the first reading of proposed changes to Board Policy IV.B. cleaning up outdated sections and formalizing the standards review process.
June 2016	The Board approved the second reading of proposed changes to Board Policy IV.B.
August 2021	Board approved proposed rules Dockets 08-0201-2101, 08-0202-2102, and 08-0203-2101. Initiating amendments pursuant to Zero Based Regulation Initiative.
October 2021	Board approved omnibus rule for IDAPA 08, incorporating proposed rule amendments approved at the August 2021 Board meeting.
June 2022	Board approved the first reading of proposed amendments to Board Policy IV.B. moving certificated staff endorsement requirements from IDAPA 08.02.02 to Board policy.

APPLICABLE STATUTE, RULE, OR POLICY

State Board of Education Governing Policies and Procedures IV.B.
Sections 33-1201 through 33-1204, Idaho Code
Idaho Administrative Code, IDAPA 08.02.02
Executive Order 2020-01

BACKGROUND/DISCUSSION

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 Zero Based Regulations process requires the Board review each IDAPA chapter on a schedule set by DFM, over a five-year period. The review should consider the following: 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 an agency's internal policies and procedures; and to simplify and streamline where possible. For the 2021-2022 rulemaking cycle IDAPA 08.02.02, Rules Governing Uniformity, was up for review and amendment.

As part of this process, the amendments to IDAPA 08.02.02 that went before the 2022 Legislature included the removal of the subject area certificate endorsements

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with the understanding that they would be moved into Board policy. The amended rule removing the endorsements took effect March 15, 2022.

IMPACT

This policy amendment is the next step in the process that was started in 2021 to move the certificate endorsements from Administrative Code to Board policy.

ATTACHMENTS

Attachment 1 – Board Policy IV.B. Second Reading

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Section 33-1201, Idaho Code, requires each person employed in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse or school librarian to have and to hold a certificate issued under authority of the State Board of Education, valid for the service being rendered. Certificate endorsements identify the subject area and grade range of each certificate. Instructional certificates may include multiple endorsement areas. Chapter 12, Title 33, Idaho Code, includes various provisions requiring the Board to specify the minimum college training requirements or the duration or renewal processes for educator certificates in rule. It does not require the Board to establish the subject area credit requirements for endorsements in rule. By moving these provisions to Board Policy, the Board will be able to be more responsive to requests from public schools to adjust these requirements, if needed, to help with the current teacher shortage.

During the 2022 legislative session, staff received some feedback from a few legislators expressing concern about removing the endorsements from Administrative Code. Staff assured legislators that the process for establishing Board policy, as laid out in Section 33-105, Idaho Code, requires a transparent and open process with multiple opportunities for the public to give input not unlike negotiated rulemaking.

No comments were received between the first and second reading of the proposed policy amendments. No changes have been made. Staff recommends approval.

BOARD ACTION

I move to approve the second reading of Board Policy IV.B., Certificate Endorsements as provided in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: IV. ORGANIZATION SPECIFIC POLICIES AND PROCEDURES
Subsection: B. State Department of Education

June 2016 August 2022

1. Purpose

The State Department of Education is established by Section 33-125, Idaho Code, as an executive agency of the State Board of Education for elementary and secondary school matters.

2. State Superintendent of Public Instruction

The State Superintendent of Public Instruction is an elected public official, serves as the executive secretary of the Board, and is the ~~chief~~-executive officer of the State Department of Education. The State Superintendent of Public Instruction (hereinafter known as the "superintendent") is responsible for carrying out the policies, procedures, and duties authorized by applicable state and federal statutes and the policies and procedures of the Board for the elementary and secondary schools in Idaho.

3. Department Organization

The State Department of Education (hereinafter known as the "department") is organized in a manner as determined by the Board acting on recommendations by the superintendent.

4. General Scope of Department Responsibilities

The department is responsible for public elementary and secondary school matters as provided by Title 33, Idaho Code, or as determined by the State Board of Education.

5. Consultant and Advisory Services

The Board allows payments to be made to staff members of the department for consultative services to agencies or organizations other than the public elementary and secondary schools. Such payments may be in addition to the certified salary of the employee and be made during the periods for which any regular salary is paid, as determined by the superintendent. Consultative services must not interfere with the time or duties of the staff member for the department. Requests to undertake consultative services must be submitted to the superintendent or his or her designee and to the Board for prior approval.

6. Policy Manual for Idaho Public Schools

The superintendent or his or her designee is responsible for the development, establishment, maintenance, and dissemination of the *State Board of Education Rules and Regulations for Public Schools K-12* as approved by the Board. The procedures

used to establish, amend, or otherwise modify the Policy Manual will be in accordance with Board policy and applicable state laws.

7. Internal Policies and Procedures

The superintendent, as the chief executive officer, may establish such additional policies and procedures for the internal management of the department as are necessary and in alignment with the Board policies, Administrative Code, and Idaho [code Statute](#).

8. Basic Educational Technology Standards for Continuing Educators

The proliferation of technology in our daily lives makes it essential that all students are provided an opportunity to become technologically literate. The State Board of Education has established a statewide goal that teachers and administrators be trained in the use of technology for education. This policy was created as a plan of action which provides recognition, encouragement and documentation of demonstrated competencies for educators and school districts by certificates of achievement and by school accreditation.

a. Accountability and Recognition

All state approved teacher education institutions or their trained designees (i.e., state department employees, district employees or community college faculty) will issue a State Certificate of Educational Technology Competency to those certificated personnel who have documented mastery of the required basic technology standards.

The State Department of Education will issue annually a State Certificate of a Technology School of Excellence to those schools documenting that at least 90% of the certificated staff have earned the State Certificate of Educational Technology Competency.

The State Department of Education will provide the State Board of Education an annual report on certificated personnel demonstrating mastery of the required basic technology standards by state, by district, and by school beginning with a baseline skill inventory that identifies the number of certificated personnel who have already demonstrated competency by the approved assessments. The results of this baseline will be available for Board review at the September 1998 Board meeting. Reports will continue annually on September 1999 through September of 2001 providing current data from the 1998-1999 school year and continuing through the 2000-2001 school year. The baseline and each annual report will include the following information by state, by district, and by school:

- i. Total certificated personnel
- ii. Total certificated personnel demonstrating technology competency
- iii. Total certificated administrative personnel
- iv. Total certificated administrative personnel demonstrating technology competency

- v. Total certificated instructional personnel
- vi. Total certificated instructional personnel demonstrating technology competency.

Information from the annual reports may be used to inform the citizens of Idaho of the relative standing of each school and each school district. The information will also be used to give proper recognition to schools making excellent progress towards or achieving the Board's goal. The Board staff will evaluate the policy annually.

9. Standards Approval

While maintaining a balance between the local control of school districts and the Idaho constitutional requirement for a uniform and thorough system of public education, the State Board of Education sets minimum standards to provide the framework through which our public school then provide educational opportunities to Idaho students. Prior to any standards being brought forward to the Board the applicable stakeholders and the public shall be provided with an opportunity to provide feedback. All standards being brought to the Board for consideration shall include the standards themselves, a description of how feedback was solicited, and a summary of the feedback that was received. Amendments to existing standards shall also include a redlined version of the standards showing all amendments.

a. Content Standards

The Idaho Content Standards articulate the minimum knowledge a student is expected to know and be able to use within a content (subject) area at specific grade levels. Content standards are reviewed and updated on a rotating basis in relation to the curricular materials adoption schedule, but may be updated more frequently if an area is identified as needing to be updated in advance of that schedule. Content standards review will be scheduled such that the content standard is reviewed in the year prior to the scheduled curricular materials review. At a minimum all content areas, including those without corresponding curricular materials, will be reviewed every six (6) years and notification will be made to the Office of the State Board of Education of the review and if the review will result in amendments to the standard or if it was determined that no amendments are necessary for the review cycle. Career Technical Education (CTE) content standard reviews will be facilitated by the Division of Career Technical Education and must meet the same review requirements as academic content standards.

The content standards review process will include at a minimum:

- i. A review committee consisting of Idaho educators with experience in the applicable content area. The committee shall be made up of elementary and secondary instructional staff and at least one postsecondary faculty member from a four-year institution and at least one from a two-year institution, at least one public school administrator, and at least one parent of school aged children or representative of an organization representing parents with school aged children. Instructional staff and postsecondary faculty members must have experience providing instruction in the

- applicable content area. Additional members may be included at the discretion of the Department. To the extent possible, representatives shall be chosen from a combination of large and small schools or districts and provide for regional representation.
- ii. The review committee will make an initial determination regarding the need to update the standards.
 - iii. Based on the review, the committee shall meet to develop initial recommendations for the creation of new content standards or amendments to the existing content standards. The Department will provide multiple opportunities for public input on the draft recommendations including but not limited to the Department website and processes that allow for individuals in each region of the state to participate.
 - iv. Drafts of the recommended amendments will be made available to the public for comment for a period of not less than 20 days. At the close of the comment period the committee will finalize recommendations for Board consideration.
- b. Standards for the Initial Certification of Professional School Personnel
The Standards for the Initial Certification of Professional School Personnel set the minimum standards certificated school personnel must meet in each certification and endorsement area to be eligible for certification or to receive subject area endorsements. Teacher preparation programs must be in alignment with these standards to be considered for approval or re-approval.

The standards are reviewed and updated based on a five (5) year cycle, where 20% of the standards are reviewed each year. Standards may be identified for review in advance of the five (5) year cycle, however, all standards must be reviewed every five (5) years. Reviews of CTE educator standards will be facilitated by the Division of Career Technical Education. The Professional Standards Commission (PSC) is responsible for reviewing and making recommendations to the Board on amendments or additions to the Standards for the Initial Certification of Professional School Personnel. The PSC will report annually to the Office of the State Board of Education the standards reviewed during the previous year and if that review resulted in recommendations for amendments or if no amendments were recommended during the review cycle.

[10. Instructional Staff Certificate Endorsements](#)

[Individuals holding an instructional certificate or occupational specialist certificate must have one or more endorsements attached to their certificate. Instructional staff are eligible to teach in the grades and content areas of their endorsements. Occupational specialist certificate endorsements are listed in Board Policy IV.E. Division of Career Technical Education. The following credit requirement must be met to be eligible for each type of endorsement. Credits used for determining eligibility in one endorsement area may also be used to meet the requirements for a corresponding endorsement area where the requirements overlap. Routes for](#)

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Alternative Authorization for new endorsement's are established in IDAPA 08.02.02.021.

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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

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following settings: birth to age three (3), ages three to five (3-5), and grades K-3 general education.

- f. 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, assessment, and clinical experiences in grades four (4) through six (6).
- g. 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.
- h. Communication (5-9 or 6-12). Follow one (1) of the following options:
 - i. 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.
 - ii. 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.
- i. Computer Science (5-9 or 6-12).
 - i. 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
 - ii. Occupational teacher preparation pursuant to Board Policy IV.E.
- j. 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.

- k. 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: 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.
- l. 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.
- m. 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 course work may be selected from business, economics, or finance course.
- n. Engineering (5-9 or 6-12). Twenty (20) semester credit hours of engineering course work.
- o. 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.

- p. 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.
- q. 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.
- r. 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.
- s. Geology (5-9 or 6-12). Twenty (20) semester credit hours in the area of geology.
- t. 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.
- u. 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.
- v. 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.

- w. 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.
- x. Journalism (5-9 or 6-12). Follow one (1) of the following options:
- i. 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.
 - ii. Option II -- Possess an English endorsement with a minimum of six (6) semester credit hours in journalism.
- y. 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.
- z. 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.
- aa. 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.
- bb. 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.

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

i. 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:

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

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

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

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

i. Option II -- Must hold an existing endorsement in Agriculture Science and Technology; and 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.

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

i. Meets the state's professional teaching and/or licensure standards and is qualified to teach in his/her field of study.

ii. Provides evidence of online course time as a student and demonstrates online learning experience.

iii. 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.

iv. 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.

- v. Demonstrates proficiency in the Idaho Standards for Online Teachers.
- ee. 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.
- ff. 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.
- gg. Physics (5-9 or 6-12). Twenty (20) semester credit hours in the area of physics.
- hh. Psychology (5-9 or 6-12). Twenty (20) semester credit hours in the area of psychology.
- ii. 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.
- jj. 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.
- kk. 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.
- ll. Sociology (5-9 or 6-12). Twenty (20) semester credit hours in the area of sociology.
- mm. 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.
- nn. Teacher Leader. Teacher leaders provide technical assistance to teachers and other staff in the local 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.

i. Teacher Leader – Instructional Specialist – Eligibility of Endorsement. To be eligible for a Teacher Leader – Instructional Specialist endorsement on the Standard Instructional Certificate, a candidate must have satisfied the following requirements:

1) 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.

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

3) 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.

ii. 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:

1) 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.

2) Experience: Completion of a minimum of three (3) years' full-time

certificated experience while under contract in an accredited school setting.

- 3) 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.

iii. 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:

- 1) 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.
- 2) Experience: Completion of a minimum of three (3) years' full-time certificated teaching experience while under contract in an accredited school setting.
- 3) 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.

iv. 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:

- 1) Education Requirements: Hold a Standard Instructional Certificate

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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.

2) 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.

3) 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.

oo. 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.

pp. 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.

qq. 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.

rr. 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:

ss. 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:

- i. 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
- ii. 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).

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DIVISION OF CAREER TECHNICAL EDUCATION (Division)

SUBJECT

Board Policy IV.E. Division of Career Technical Education – Second Reading

REFERENCE

October 16-17, 2019	Board approved the second reading of proposed changes to Board Policy IV.E and pending rule amending IDAPA 08.02.02 removing language for CTE degree-based endorsements.
April 22, 2020	Board approved first reading of proposed amendments to Board Policy IV.E. grandfathering in certain occupational endorsements.
April 27, 2020	Board approved second reading proposed amendments to Board Policy IV.E.
August 26, 2020	Board approved first reading of proposed amendments to Board Policy IV.E.4.a. clarifying state programs administered by the Division.
October 21, 2020	Board approved second reading of proposed amendments to Board Policy IV.E. Division of Career Technical Education.
August 26, 2021	Board approved first reading of proposed amendments to Board Policy IV.E. updating career technical educator endorsement provisions.
October 21, 2021	Board approved second reading of proposed amendments to Board Policy IV.E.
June 15, 2022	Board approved first reading of proposed changes

APPLICABLE STATUTE, RULE, OR POLICY

State Board of Education Governing Policies and Procedures IV.E.
Sections 33-105, and 33-2202, Idaho Code
IDAPA 08.02.03.004

BACKGROUND/DISCUSSION

To be considered for, or to receive continued approval from the Division, a career technical education program must meet the approved program content standards. These standards had previously been incorporated by reference in IDAPA 08.02.03 along with the academic content standards. As part of the Governor's initiative on Zero Based Regulations and the request to limit or reduce what is included in Administrative Code, the Board started the process of moving these standards from IDAPA 08.02.03 to Board policy. The amended rules took affect when the Legislature adjourned *sine die* in March. Moving the program content standards into Board policy is the next and final step in the yearlong process.

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In addition to moving the program content standards into Board policy, the Division is also requesting the approval to add four program areas to the existing content standards. The career technical education program content standards are grouped in six major categories: Agricultural and Natural Resources; Business and Marketing Education; Engineering and Technology Education; Health Sciences; Family and Consumer Sciences; and Skilled and Technical Sciences. In addition to these six categories, the standards include a seventh area that is incorporated into the specific program categories: Workplace Readiness. Each major category is then made up of several program areas. As an example, Family and Consumer Sciences encompasses Culinary Arts Program Standards, Early Childhood Education Program Standards, Entrepreneurship Program Standards, and Hospitality and Tourism Program Standards. When the original career technical education program content standards were brought forward to the Board for approval they included only a subset of the existing standards. The intent at the time was that additional program standards would be brought forward each year until all of the standards had Board approval. Due to turn over in staff there was a lull in these activities. At this time the Division is requesting approval to add the following program content standards: Cybersecurity Program Content Standards, Electrical Program Content Standards, HVAC Program Content Standards, and Plumbing Program Content Standards. Cybersecurity will be added to Engineering and Technology Education while the remaining three programs will be added to Skilled and Technical Sciences.

The standards have been developed and updated through the Division's process for content standards, including the use of industry advisory boards, and are targeted toward ensuring programmatic quality and consistency across career technical education programs that is not currently being achieved due to varied interpretations of current language in these standards.

IMPACT

This policy amendment is the next step in the process that was started in 2021 to move the career technical education program standards from Administrative Code to Board policy.

ATTACHMENTS

- Attachment 1 – Board Policy IV.E. Second Reading
- Attachment 2 – Cybersecurity Program Content Standards
- Attachment 3 – Electrical Program Content Standards
- Attachment 4 – HVAC Program Content Standards
- Attachment 5 – Plumbing Program Content Standards

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Proposed changes between the first and second reading of the policy include adding the following program standards as provided in Attachments 2 through 5 to the existing program content standards incorporated by reference into the policy and updating the dates for the standards incorporated by reference in the policy.

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Staff recommends approval.

BOARD ACTION

I move to approve the second reading of Board Policy IV.E. Division of Career Technical Education as provided in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

AND

I move to approve of the Cybersecurity, Electric, HVAC, and Plumbing Program Content Standards as provided in Attachments 2 through 5.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: IV. ORGANIZATION SPECIFIC POLICIES AND PROCEDURES

Subsection: E. Division of Career Technical Education ~~October 2021~~ August 2022

1. Purpose.

The Division of Career Technical Education (Division) provides leadership and coordination for programs in career technical education in various parts of the state. The general purpose of the Division is to carry out the governing policies and procedures of the Board and the applicable provisions of state and federal career technical education regulations assigned to the Division.

2. Delegation of Authority

The Administrator is the chief program and administrative officer of the Division, is appointed by, and serves in this position at the pleasure of the Board. The Administrator of the Division of Career Technical Education serves as the chief executive officer of the statewide career technical education system with the responsibility to supervise and manage career technical education programs in Idaho within the framework of the Board's Governing Policies and Procedures for the organization, management, direction, and supervision of the agency and is held accountable by the Board for the successful functioning of the institution or agency in all of its units, divisions, and services pursuant to Board Policy I.E. Executive Officers. The Administrator shall report to the Board through the Executive Director. The Administrator is responsible for the preparation and submission, through the Executive Director, of any matters related to career technical education for Board review and action.

3. Definitions

- a. Concentrator means a secondary student enrolled in a capstone course.
- b. Local Education Agencies means a public school district or charter school, including specially chartered districts.
- c. Technical College Leadership Council (TCLC) means the career technical education deans of the six regional public technical colleges in Idaho.
- d. Technical Skill Assessment means 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.
- e. Workplace Readiness Assessment means an assessment of a career technical education student's understanding of workplace expectations.

4. Functions

The Division provides statewide leadership, administration, supervision, planning, and coordination for career technical education activities in Idaho. The major functions include:

- a. Statewide Administration: maintaining a qualified professional staff to provide statewide leadership and coordination for career technical education and the programs offered in accordance with applicable state and federal regulation, Fire Service Training and STAR Motorcycle Safety Program.
- b. Supervisory and Consultative Services: providing technical assistance to local education agencies to assist in the implementation and maintenance of career technical education programs including support and leadership for student organizations and education equity.
- c. Planning: assisting local education agencies in the development of annual plans and data collection and analyzing services for the establishment of a five-year plan, annual plans, and accountability reports from the local education agencies.
- d. Evaluation: conducting and coordinating career technical education evaluations in accordance with state and federal guidelines to monitor program activities and to determine the status of program quality in relation to established standards and access.
- e. Budget Preparation: preparing annual budgets and maintaining a statewide finance and accountability system.
- f. Program and Professional Improvement: initiating and coordinating research, curriculum development, process improvement, and staff development statewide.
- g. Management Information: collecting, analyzing, evaluating and disseminating data and program information which provides a comprehensive source of accurate, current, and easily accessible information for statewide decision making.
- h. Coordination: providing liaison with related state agencies and organizations, business and industry, and community-based organizations.

5. Organization.

The programs and services of the Division are organized into two (2) broad segments: (a) Regular Occupational Programs and (b) Special Programs and Support Services.

- a. Regular Occupational Programs are programs designed to prepare students at the secondary and postsecondary levels with the skills, knowledge, attitudes, and habits necessary for entry-level employment in recognized occupations in Idaho

regions, and may extend to the Northwest and nationally. These programs also provide the supplemental training to upgrade the skills of those citizens of Idaho who are currently employed. Regular programs include clusters and pathways in the following program areas:

- i. Agriculture, Food and Natural Resources;
- ii. Business and Marketing;
- iii. Engineering and Technology Education;
- iv. Family and Consumer Sciences and Human Services;
- v. Health Professions and Public Safety; and
- vi. Trades and Industry.

A program quality manager is employed in each program area to provide leadership and technical assistance to local education agencies.

- b. Special Programs and Support Services are special programs designed to serve students who are considered special populations, students with special needs, and include other program activities not considered occupational in nature. These programs include Single Parent/Displaced Homemaker, Education Equity, and middle school career technical education.
- c. Through state and federal regulations, or by contract for administration, the Division may supervise and manage other career technical training programs as appropriate.

6. Program Delivery

Career technical education programs are made available at three (3) levels in Idaho -- secondary, postsecondary, and workforce training.

7. Secondary Programs

- a. Secondary Programs are provided through participating local education agencies and career technical schools. Secondary programs are established by the Division and may be categorized as either a cluster program or a pathway program.
- b. Cluster Program: provides introductory and intermediate courses as an introduction to a career technical area and the opportunity to learn workplace readiness expectations. A cluster program must meet the following requirements:
 - i. Consist of a variety of foundation and intermediate courses within a single Career Cluster. The program does not culminate in a capstone course.
 - ii. Offer a program that is three or more semesters (or the equivalent) in length.
 - iii. Demonstrate a strong career/workplace readiness skills alignment.
 - iv. Participate in a related Career Technical Student Organization.

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- v. Maintain an active Technical Advisory Committee to guide program development and foster industry engagement.
 - vi. Require a nationally validated, industry-based Workplace Readiness Assessment created to evaluate skills and attitudes needed for success in the workplace administered by an approved developer as part of the program.
- c. Pathway Program: provides specific career area occupational preparation, the opportunity to learn workplace readiness expectations, and the knowledge and skill development required to transition into a similar postsecondary program. A pathway program must meet the following requirements:
- i. Consist of a sequence of courses that culminate in a capstone course and aligns with Board approved career technical education content standards.
 - ii. Offer a program that is three or more semesters (or the equivalent) in length.
 - iii. Demonstrate a strong career/workplace readiness skills alignment.
 - iv. Participate in a related Career Technical Student Organization.
 - v. Maintain an active Technical Advisory Committee to guide program development and foster industry engagement.
 - vi. Require the Workplace Readiness Assessment as part of the program.
 - vii. Demonstrate alignment to similar postsecondary program outcomes as well as to relevant industry recognized standards.
 - viii. Offer work-based learning experience opportunities for students (paid or unpaid).
 - ix. Require a pathway-identified Technical Skill Assessment for all students enrolled in the capstone course (concentrators).
 - x. Ensure the program meets the requirements for concentrators to obtain Technical Competency Credit for aligned postsecondary programs.
 - xi. Require a nationally validated, industry-based technical skill assessment administered by an approved developer.
- d. All junior and senior concentrators are required to take the technical skill assessment associated with their program. In the event a senior concentrator is enrolled in a pathway program that does not yet have an approved technical skill assessment, that student will take only the workplace readiness assessment until the pathway program technical skill assessment has been approved.
- e. All seniors enrolled in more than one career technical education course are required to take the workplace readiness assessment.
- f. Secondary Program Approval

The Division accepts applications each year from local education agencies to establish new secondary career technical programs, change a program type or reactivate an inactive program. To be considered in a given fiscal year the application must be received no later than February 15. Only approved programs

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are eligible to receive added-cost funds, or additional career technical education funding including, Idaho Program Quality Standards, Program Quality Initiative, Workforce Readiness Incentive Grant, and federal Perkins funding. In order to receive added-cost funds, a program must also be taught by an appropriately certified career technical education teacher. Career technical education teacher certification requirements are established in IDAPA 08.02.02. Applications must be submitted in a format established by the Administrator.

The Division will evaluate applications on standard criteria. Approval of new programs and reactivation of inactive programs will be based on available funding; priority will be given to pathway programs. A local education agency must demonstrate that, as part of its decision for creating, changing, or reactivating a career technical program, the local education agency has considered the recommendations from a local technical advisory committee. If such a committee does not already exist, the local education agency must create a committee for the express purpose of evaluating local and/or regional need for the proposed career technical program and for providing guidance on the application for such program. Applications must indicate if the program is a cluster or a pathway program and will be evaluated according to the specific program type. Denial of applications will be based on failure to meet the application requirements, including but not limited to missing deadlines, information, failure to meet minimum program requirements or failure to respond to any request for additional information within the timeframe specified in the application. Local education agencies will be notified of their application status on or before April 30 of the application year. Prior to receiving added-cost funds, the local education agency must submit the applicable statement of assurances, as outlined in the application approval letter.

- i. Comprehensive high school new cluster programs will be evaluated on the following criteria:
 - 1) Meeting minutes that reflect recommendations from the local technical advisory committee
 - 2) Alignment with one of four approved cluster program areas
 - 3) Provides basic workplace readiness skills
 - 4) Connection to a Career Technical Student Organization (CTSO) supported by the Division
 - 5) Representation on the technical advisory committee in alignment with the program area industry
 - 6) Realistic, applied learning, provided through lab and industry-related activities
 - 7) Facilities to accommodate the program with equipment and space
 - 8) Agreement with the Statement of Assurances, as defined in the application

- ii. Comprehensive high school new pathway programs will be evaluated on the following criteria:

- 1) Meeting minutes that reflect recommendations from the local technical advisory committee
 - 2) Alignment with one of the approved pathway programs established by the Division
 - 3) Provide basic workplace readiness skills
 - 4) Consists of sequential, intermediate and capstone courses that meet the minimum requirements
 - 5) Connection to a Career Technical Student Organization (CTSO) supported by the Division
 - 6) Technical advisory committee that includes representatives from the identified occupational pathway
 - 7) Realistic, applied learning, provided through lab and industry-related activities
 - 8) Work-based learning opportunities
 - 9) Regional need for the program, established through labor market data
 - 10) Alignment with Board-approved program standards
 - 11) Alignment to related postsecondary program
 - 12) Facilities to accommodate a pathway program with the appropriate and relevant equipment and space for the pathway
 - 13) Agreement with the Statement of Assurances, as defined in the application
- iii. Career Technical School (CTS) pathway programs must meet the evaluation criteria for a new pathway program, as well as the criteria outlined in IDAPA 55.01.03.
- g. Allowable Use of Added-Cost Funds

Added-cost funds are distributed to school districts to cover instructor and program expenses beyond those normally encountered by Idaho public schools at the secondary level. Allocations are calculated based on career technical education teacher full-time equivalency (FTE) and must be used to support all career technical education programs in the school districts. Added-cost funds may only be used for expenses directly related to an approved career technical education program in five (5) categories:

- i. Instructional and Program Promotion Materials and Supplies
 - 1) Single copy reference materials, including single-user electronic reference materials
 - 2) Consumable student lab and classroom manuals
 - 3) Consumable materials and supplies that support the instructional program
 - 4) Workplace Readiness Assessment (WRA) and Technical Skill Assessment (TSA) exam costs (excluding retakes) for those exams administered outside the Division-funded testing window

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- 5) Web-based licensed products to support program instruction and management
 - 6) Materials and supplies used in CTE program promotion
- ii. Equipment
- 1) Equipment costing \$500 or more per unit cost and having an expected life greater than two years (software is not considered equipment)
 - 2) Computers and peripherals necessary for program instruction above and beyond equipment provided to academic classrooms
- iii. Salaries
- 1) Time beyond the normal academic year to be defined as the last school session calendar day of the current year and before the first session calendar day of the subsequent year, which should be a documented agreement between the district and the CTE instructor
 - 2) Time during the normal academic year for CTSO advisors who travel and stay in hotels to attend state and national leadership conferences with their students, beyond the normal school week to include one (1) day for a state leadership conference and two (2) days for a national leadership conference
 - 3) For health professions programs only, time beyond the normal school day, i.e., evenings and weekends, for licensed professional teachers delivering required instruction to students at clinical sites
- iv. Contracts
- 1) Services contracted by the district for maintaining and repairing CTE equipment and for operating and maintaining CTE labs and shops (e.g., equipment service contracts and hazardous waste disposal)
 - 2) Fees and expenses for supplemental specialized instruction (e.g., certified CPR trainer, OSHA certification instructor, short-term specialized instruction from subject matter expert, supplemental staff to supervise students in a clinical environment)
- v. Travel and Professional Expenses
- 1) Instructor travel costs and fees for CTE-related professional development (e.g., conferences, seminars, workshops, state-sponsored meetings, summer conference, and back-to-industry experiences related to the CTE program)
 - 2) Instructor travel costs and fees related to CTE student activities and CTSO activities (e.g., conference registration fees, mileage, per diem, lodging)

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- 3) Instructor membership dues for professional associations and CTSO affiliations related to program area.
 - 4) Up to ten percent (10%) of the CTE added-cost funding for student transportation within the state to a state-approved CTSO leadership conference or event
- vi. Added-Cost Funds may not be used for:
- 1) Print textbooks, electronic textbooks, and/or other electronic media used as the primary source of content delivery
 - 2) Technology related to general instructional delivery (e.g., projectors, cell phones)
 - 3) Classroom equipment, supplies, and web-based licensed products that are provided to all district teachers and classrooms
 - 4) Fundraising equipment and supplies
 - 5) Equipment not related to program instruction
 - 6) Salaries and benefits for certified employees (i.e., teachers who hold certification) and classified employees (i.e., employees other than certified or professional teachers)
 - 7) Salaries and benefits to replace furlough days
 - 8) Salaries and benefits for district pre-service and/or in-service days
 - 9) Salaries and benefits for substitutes
 - 10) Contracted salaries or benefits to provide the basic instructional program
 - 11) Fees to obtain or renew teaching credentials and/or professional licenses
 - 12) Tuition and transcribed credits, including professional development credits
 - 13) Individual student travel fees and expenses
8. Occupational Specialist Certificate Endorsements, effective July 1, 2020. Pursuant to Section 33-1201, Idaho Code, every person employed in an elementary or secondary school in the capacity of a teacher must have a certificate issued under the authority of the State Board of Education. Certification requirements are established in IDAPA 08.02.02. Each certificate must have one or more endorsements indicating the occupational area the teacher is qualified in to provide instruction. Endorsement eligibility is determined by the Division of Career Technical Education. Career technical education endorsements consist of the following:
- a. Endorsements A-C
 - i. Administrative Services (6-12). Industry experience that indicates applied competence in the majority of the following areas: proficiency in word processing, spreadsheet, database, presentation, and technology media applications; accounting functions; legal and ethical issues that impact business; customer relations; business communication; and business office operations.
 - ii. Agribusiness (6-12). Industry experience that indicates applied competence in the majority of the following areas: plant and animal science; agricultural

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- economic principles; business planning and entrepreneurship; agriculture business financial concepts and recordkeeping systems; risk management in agriculture; laws related to agriculture and landowners; marketing and sales plans; and sales.
- iii. Agriculture Food Science and Processing Technologies (6-12). Industry experience that indicates applied competence in the majority of the following areas: properties of food; principles of processing; post-processing operations; safety practices; and equipment and tools used in food processing.
 - iv. Agriculture Leadership and Communications (6-12). Industry experience that indicates applied competence in the majority of the following areas: applied communications and leadership through agricultural education; supervised agricultural experience; career opportunities in agricultural science, communications, and leadership; agriculture's impact on society; agricultural science principles; agricultural communication principles; and agricultural leadership principles.
 - v. Agriculture Mechanics and Power Systems (6-12). Industry experience that indicates applied competence in the majority of the following areas: safety practices; tools and hardware; metal technology; power systems; electricity; mathematical applications; insulation; and careers in agricultural mechanics and powers systems.
 - vi. Animal Science (6-12). Industry experience that indicates applied competence in the majority of the following areas: animal agricultural industries; nutritional requirements for livestock; livestock reproductive systems; principles of evaluation for animal selection; animal welfare, handling, and quality assurance; medication and care; disease transmission and care; harvesting and processing of animal products; and animal science risk management.
 - vii. Apparel/Textiles (6-12). Industry experience that indicates applied competence in the majority of the following areas: fashion trends; design sketches; color and fabric selection; production of clothing and accessories; and enhancement of function and safety.
 - viii. Applied Accounting (6-12). Industry experience that indicates applied competence in the majority of the following areas: accounting functions; accounting ethics; software application packages; financial statements; asset protection and internal controls; inventory records; long-term assets; and payroll procedures.
 - ix. Automated Manufacturing (6-12). Industry experience that indicates applied competence in the majority of the following areas: lab organization and safety practices, blueprint reading, measuring, computer-aided design (CAD); computer-aided manufacturing (CAM), computer numeric control (CNC), fundamental power system principles, manufacturing processes, electronic and instrumentation principles, machining, robotics and materials-handling systems, and additive (3D) printing.
 - x. Automotive Collision Repair (6-12). Industry experience that indicates applied competence in the majority of the following areas: auto body

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- collision-repair practices; tools; trade skills in refinishing, welding, and painting.
- xi. Automotive Maintenance and Light Repair (6-12). Industry experience that indicates applied competence in the majority of the following areas: service, maintenance, and repair practices for a wide variety of vehicles; and diagnosing, adjusting, repairing, and replacing individual vehicle components and systems.
 - xii. Business Digital Communications (6-12). Industry experience that indicates applied competence in the majority of the following areas: elements and principles of design and visual communications; professional communication skills; editing and proofreading; copyright and intellectual property law; portfolio development; content development strategy; branding and corporate identity; graphic communication production; video editing; web page development; web page design and layout; and web-related planning and organizational standards.
 - xiii. Business Management (6-12). Industry experience that indicates applied competence in the majority of the following areas: planning and organizing; directing, controlling and evaluating goals and accomplishments; financial decision-making; competitive analysis and marketing strategies; human resource management; customer relations; technology; project management; operations and inventory; and social responsibility.
 - xiv. Cabinetmaking and Bench Carpentry (6-12). Industry experience that indicates applied competence in the majority of the following areas: cabinetmaking and millwork production; cutting, refinishing, installing, and shaping of various materials; knowledge of industry standards and construction applications; hardware; and blueprint reading.
 - xv. Certified Welding (6-12). Industry experience that indicates applied competence in the majority of the following areas: fundamental print reading; measurement and layout/fit-up techniques; properties of metals; shielded metal arc welding (SMAW); gas metal arc welding (GMAW and GMAW-S); flux cored arc welding (FCAW-G); gas tungsten arc welding (GTAW); thermal cutting processes; welding codes; inspection and testing principles; and fabrication techniques.
 - xvi. Child Development and Services (6-12). Industry experience that indicates applied competence in the majority of the following areas: early childhood-education career paths and opportunities for employment; ethical conduct; advocacy for children; child/human development and learning; family and community relations; child observation, documentation, and assessment; positive relationships and supportive interaction; and approaches, strategies, and tools for early childhood education.
 - xvii. Commercial Photography (6-12). Industry experience that indicates applied competence in the majority of the following areas: ethics in photography, elements and principles of design composition, cameras and lenses, exposure settings, light sources, digital workflow, presentation techniques and portfolios, and production using industry standard software.

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- xviii. Computer Support (6-12). Industry experience that indicates applied competence in the majority of the following areas: basic network technologies, laptop support, PC support, printer support, operating systems, security, mobile device support, troubleshooting techniques, and trends in the industry.
 - xix. Construction Trades Technology (6-12). Industry experience that indicates applied competence in the majority of the following areas: comprehensive knowledge of structural systems and processes, classical and contemporary construction elements, knowledge of industry standards, knowledge of architecture, basic cabinetry and millwork, and blueprint reading.
 - xx. Cosmetology (6-12). Industry experience that indicates applied competence in the majority of the following areas: hair design; skincare; nail care; industry guidelines and procedures; entrepreneurship; and communications. Instructor must hold a current and valid Idaho license or certificate as a cosmetologist.
 - xxi. Culinary Arts (6-12). Industry experience that indicates applied competence in the majority of the following areas: experience as a chef in a full-service restaurant; business operations experience in the culinary/catering industry; communication and organization skills with customers and vendors; industry-recognized food safety and sanitation certification; knowledge of proper food handling, ingredients, food quality and control practices; culinary tools and equipment; cooking methods; meal preparation; menu planning principles and industry trends and career options.
- b. Endorsements D-N
- i. Dental Assisting (6-12). Industry experience that indicates applied competence in the majority of the following areas: dental professions pathways; ethics in dental practice; nutrition as related to oral health; infection control; occupational safety; dental-related anatomy and pathology; dental anesthesia; dental assisting skills; dental materials; and dental radiology. Instructor must hold a current and valid Idaho license or certificate as a dental assistant, dental hygienist, or dentist.
 - ii. Digital Media Production (6-12). Industry experience that indicates applied competence in the majority of the following areas: graphic design industry structure; elements and principles of design composition; visual communication; industry-standard software production; ethics and graphic design; digital portfolios; mathematical skills as related to design; communication skills; editing and proofreading; video editing; digital media and production; dissemination techniques and methods; broadcasting equipment, camera, and lens operations; light sources; presentation techniques; public speaking; and writing skills.
 - iii. Drafting and Design (6-12). Industry experience that indicates applied competence in the majority of the following areas: technical drawings, scale drawings, architectural drafting, mechanical drafting, orthographic

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- projection, two- and three-dimensional drawings, manual drafting, and computer aided design.
- iv. Ecology and Natural Resource Management (6-12). Industry experience that indicates applied competence in the majority of the following areas: ecological concepts and scientific principles related to natural resource systems; forest types; forest management components and practices; fire ecology and management; importance and application of GPS/GIS in natural resource management; fish and wildlife ecology; and mineral and energy resources management.
 - v. Electrical Technology (6-12). Industry experience that indicates applied competence in the majority of the following areas: digital and solid-state circuits, DC principles, AC concepts, soldering techniques, circuits, and electrician-associated electronic components and tools. Instructor must hold a current and valid Idaho license or certificate as an electrician.
 - vi. Electronics Technology (6-12). Industry experience that indicates applied competence in the majority of the following areas: digital and solid-state circuits; DC principles; AC principles; soldering techniques; circuits; digital electronics; electronic circuits; electronic devices; and electronic digital circuitry simulations and associated electronic components and tools.
 - vii. Emergency Medical Technician (EMT) (6-12). Industry experience that indicates applied competence in the majority of the following areas: fundamental knowledge of the emergency management services (EMS) system; medical and legal/ethical issues in the provision of emergency care; EMS systems workforce safety and wellness; documentation; EMS system communication; therapeutic communication; anatomy and physiology; medical terminology; pathophysiology; and lifespan development (per the EMR and EMT sections of the Idaho EMS Education Standards located on the Idaho Department of Health and Welfare website). Instructor must have passed the National Registry exam. Instructor must hold a current and valid Idaho EMS license or certificate and be certified as an EMT instructor through Idaho EMS.
 - viii. Firefighting (6-12). Industry experience that indicates applied competence in the majority of the following areas: knowledge of local, state, and federal laws and regulations; firefighting procedures; firefighting tactics; firefighting equipment and vehicles; EMT basic training; first aid and CPR training; and reporting requirements under Idaho criminal code. Instructor must hold a current and valid Idaho license or certificate as an EMT and firefighter.
 - ix. Graphic Design (6-12). Industry experience that indicates applied competence in the majority of the following areas: the graphic design industry; elements and principles of design and visual communication; production using industry standard software; branding and corporate identity; ethical and legal issues related to graphic design; portfolio development and evaluation; mathematics for visual communications; communication; editing and proofreading; graphic design in digital media; and applied art.

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- x. HVAC Technology (6-12). Industry experience that indicates applied competence in technical subjects and skills related to the HVAC trade as approved by the Idaho HVAC Board and the Idaho State Board for Career Technical Education: installing, altering, repairing, and maintaining HVAC systems and equipment including air conditioners, venting or gas supply systems, ductwork, and boilers. Instructor must hold a current and valid Idaho license or certificate as an HVAC Technician.
- xi. Heavy Equipment/Diesel Technology (6-12). Industry experience that indicates applied competence in the majority of the following areas: knowledge of diesel engine service; preliminary inspection; identification and repair of vehicle components; preventative maintenance; and heavy equipment applications.
- xii. Hospitality Management (6-12). Industry experience that indicates applied competence in the majority of the following areas: business structures; economics; human resources; sales and marketing; finance and budgeting; safety and security; legal and ethical considerations; event planning and management; teamwork; communication skills; lodging operations; and food and beverage operations.
- xiii. Hospitality Services (6-12). Industry experience that indicates applied competence in the majority of the following areas: careers in the hospitality and tourism industry; customer service; event planning implementation; procedures applied to safety, security, and environmental issues; practices and skills involved in lodging occupations and travel-related services; and facilities management.
- xiv. Industrial Mechanics (6-12). Industry experience that indicates applied competence in the majority of the following areas: industrial mechanics knowledge; shop skills; diagnostic and repair techniques; welding; hydraulic; electronic systems; and maintenance and preventative maintenance.
- xv. Journalism (6-12). Industry experience that indicates applied competence in the majority of the following areas: legal and ethical issues related to journalism and photojournalism, principles and techniques of media design, design formats, journalistic writing, social media and digital citizenship, and media leadership.
- xvi. Law Enforcement (6-12). Industry experience that indicates applied competence in the majority of the following areas: knowledge of local, state, and federal laws and regulations; defensive strategies; investigative strategies; search principles and strategies; tactical procedures; vehicle operations; knowledge of weapons and use where appropriate; first aid and CPR training; social and psychological sciences; and identification systems.
- xvii. Marketing (6-12). Industry experience that indicates applied competence in the majority of the following areas: economic systems; international marketing and trade; ethics; external factors to business; product/service management; pricing; distribution channels; advertising; sales promotion; public relations; retail management; market research and characteristics; digital marketing; and financing and financial analysis.

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- xviii. Medical Assisting (6-12). Industry experience that indicates applied competence in the majority of the following areas: human anatomy, physiology and pathology, medical terminology, pharmacology, clinical and diagnostic procedures, medication administration, patient relations, medical law and ethics, scheduling, records management, and health insurance. Instructor must hold a current and valid medical assistant certification as evidenced in the national registry.
 - xix. Networking Support (6-12). Industry experience that indicates applied competence in the majority of the following areas: PC hardware configuration, fundamental networking technologies, operating systems, basic networking, basic security, and basic network configurations.
 - xx. Nursing Assistant (6-12). Industry experience that indicates applied competence in the majority of the following areas: scope of practice; ethics and legal issues; communication and interpersonal relationships; documentation; care practices; infection prevention; human anatomy and physiology; medical terminology; personal care procedures; physiological measurements; nutritional requirements and techniques; procedures and processes related to elimination; quality patient environment; patient mobility; admission, transfer, and discharge procedures; care of residents with complex needs; and safety and emergency. Instructor must hold a current and valid Idaho registered nursing license and be approved as a certified CNA primary instructor through Idaho Department of Health and Welfare.
- c. Endorsements O-W
- i. Ornamental Horticulture (6-12). Industry experience that indicates applied competence in the majority of the following areas: safety practices; plant anatomy; plant physiology; plants identification skills; growing media; plant nutrition; integrated pest management; plant propagation; ornamental horticulture crops; business concepts; plant technologies; ornamental design standards; and career opportunities in ornamental horticulture.
 - ii. Pharmacy Technician (6-12). Industry experience that indicates applied competence in the majority of the following areas: patient profile establishment and maintenance; insurance claim preparation; third-party insurance provider correspondence; prescription and over-the-counter medications stocking and inventorying; equipment and supplies maintenance and cleaning; and cash register operation. Instructor must be a pharmacist, registered nurse, or pharmacy technician holding a current and valid Idaho license or certification.
 - iii. Plant and Soil (6-12). Industry experience that indicates applied competence in the majority of the following areas: plant anatomy and identification; plant processes, growth, and development; soil and water; plant nutrition; integrated pest management; careers and technology; and safety.
 - iv. Plumbing Technology (6-12). Industry experience that indicates applied competence in technical subjects and skills related to the plumbing trade as

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- approved by the Idaho Plumbing Board and the Idaho Board for Career Technical Education: repairing, installing, altering, and maintaining plumbing systems and fixtures including interconnecting system pipes and traps, water drainage, water supply systems, and liquid waste/sewer facilities. Instructor must hold a current and valid Idaho license or certificate as a plumber.
- v. Pre-Engineering Technology (6-12). Industry experience that indicates applied competence in the majority of the following areas: lab safety; impacts of engineering; ethics of engineering; design process; documentation; technical drawing; 3D modeling; material science; power systems; basic energy principles; statistics; and kinematic principles.
 - vi. Precision Machining (6-12). Industry experience applied the majority of the following areas: precision machining practices; tools used to shape parts for machines; industrial mechanics; shop skills; safety in practice; blueprint reading; and diagnostic and repair techniques.
 - vii. Programming and Software Development (6-12). Industry experience that indicates applied competence in the majority of the following areas: basic programming principles; problem solving; programming logic; validation; repetition; programming classes, exceptions, events, and functionality; arrays and structure; design principles; system analysis; and implementation and support.
 - viii. Rehabilitation Services (6-12). Industry experience that indicates applied competence in the majority of the following areas: ethical, legal, and professional responsibilities; medical terminology; anatomy and physiology; roles and responsibilities of the rehabilitation team; patient care skills; therapeutic interventions; and common pathologies. Instructor must be a health professional holding a current and valid Idaho license or certificate in his/her field of study.
 - ix. Small Engine Repair/Power Sports (6-12). Industry experience that indicates applied competence in the majority of the following areas: small gasoline engine construction and performance; industry-related resources; equipment used to diagnose and troubleshoot issues; repair; entrepreneurship; and customer service.
 - x. Web Design and Development (6-12). Industry experience that indicates applied competence in the majority of the following areas: web page development, web page design and layout, integration of web pages, web planning and organizational standards, and web marketing.
 - xi. Work-Based Learning Coordinator (6-12). Educators assigned to coordinate approved work-based experiences must hold this endorsement. Applicants must hold an occupational endorsement on the Degree Based Career Technical Certificate or Occupational Specialist Certificate, and complete coursework in coordination of work-based learning programs.
- d. The following career technical education endorsements awarded prior to July 1, 2020 shall be grandfathered and shall not be awarded after July 1, 2020:

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- i. Agricultural Business Management (6-12)
 - ii. Agricultural Power Machinery (6-12)
 - iii. Agricultural Production (6-12)
 - iv. Animal Health and Veterinary Science (6-12)
 - v. Aquaculture (6-12)
 - vi. Business Management/Finance (6-12)
 - vii. Child Development Care and Guidance (6-12)
 - viii. Culinary Arts (6-12)
 - ix. Dietitian (6-12)
 - x. Farm and Ranch Management (6-12)
 - xi. Fashion and Interiors (6-12)
 - xii. Food Service (6-12)
 - xiii. Forestry (6-12)
 - xiv. Horticulture (6-12)
 - xv. Information/Communication Technology (6-12)
 - xvi. Microcomputer Applications (6-12)
 - xvii. Natural Resource Management (6-12)
 - xviii. Networking and Computer Support (6-12)
 - xix. Orientation to Health Professions (6-12)
 - xx. Programming and Web Design (6-12)
- e. Degree Based Career Technical Certificate Endorsements:
- i. Agricultural Science and Technology (6-12). Thirty (30) semester credit hours to include coursework in methods of teaching agricultural science and technology, agriculture education, agriculture mechanics, agriculture business management, soil science, animal science, plant science, and horticulture.
 - ii. Business Technology Education (6-12). Twenty (20) semester credit hours to include coursework in methods of teaching business technology education, accounting, computer and technical applications in business, economics, business communication/writing, finance, marketing, business management, and office procedures. Additional coursework may include entrepreneurship or business law.
 - iii. Computer Science (6-12). Successful attainment of an Institutional Recommendation for the Computer Science (6-12) endorsement on a Standard Instructional Certificate, completion of coursework satisfying Section 04.b above, and related industry experience satisfying Section 4.c above.
 - iv. Engineering (6-12). Successful attainment of an Institutional Recommendation for the Engineering (6-12) endorsement on a Standard Instructional Certificate, completion of coursework satisfying Section 04.b above, and related industry experience satisfying Section 04.c above.
 - v. Family and Consumer Sciences (6-12). Thirty (30) semester credit hours to include coursework in methods of teaching family and consumer sciences; foundations of family and consumer sciences; consumer economics and family resources; child/human development; early childhood laboratory or

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practicum teaching experience; family and interpersonal relationships; food safety; the science of food preparation or culinary arts; lifespan nutrition and wellness; living environments and interior design; and apparel and textiles. Additional coursework may include hospitality and tourism, and entrepreneurship.

- vi. Marketing Technology Education (6-12). Twenty (20) semester credit hours to include coursework in methods of teaching marketing technology education, marketing, business management, economics, merchandising/retailing, finance, and accounting. Additional coursework may include entrepreneurship.
- vii. Technology Education (6-12). Twenty (20) semester credit hours to include coursework in methods of teaching technology education; communication technology; computer applications; construction technology; electronics technology; manufacturing technology; power, energy, and transportation; principles of engineering design; and other relevant emerging technologies.

9. Postsecondary Programs

- a. Postsecondary Programs are provided through the state system of six (6) regional technical colleges. Postsecondary programs are defined in Board Policy III.E and are reviewed by the Administrator. In accordance with Board Policy III.G., the Administrator shall meet with the Technical College Leadership Council (TCLC) on a regular basis. The regional technical colleges are:
 - i. College of Western Idaho (Nampa)
 - ii. College of Southern Idaho (Twin Falls)
 - iii. College of Eastern Idaho (Idaho Falls)
 - iv. Idaho State University College of Technology (Pocatello)
 - v. Lewis-Clark State College (Lewiston)
 - vi. North Idaho College (Coeur d'Alene)
- b. Workforce Training Programs are primarily provided through the six (6) regional technical colleges to provide upgrading and retraining programs for persons in the work force and to support regional industry needs. These offerings range from brief seminar classes to intensive courses which normally are fewer than 500 hours of annual instruction.

10. Program Content Standards

Approved career technical education programs must meet the follow program content standards approved by the Board:

- a. Agricultural and Natural Resources, as revised and adopted on August 29, 2019.
- b. Business and Marketing Education, as revised and adopted on August 29, 2019
- c. Engineering and Technology Education, as revised and adopted on August ~~29, 2019.~~ 24, 2022

- d. [Health Sciences, as adopted on August 29, 2019.](#)
- e. [Family and Consumer Sciences, as revised and adopted on June 3, 2022.](#)
- f. [Skilled and Technical Sciences, as revised and adopted on August ~~29, 2019,~~ 24, 2022.](#)
- g. [Workplace Readiness, as adopted on June 16, 2016.](#)

~~40~~[11](#). The Idaho Agricultural Education Quality Program Standards shall be used to evaluate the quality of Agricultural, Food and Natural Resource education programs. The Idaho Agricultural Education Quality Program Standards as approved August 14, 2014, are adopted and incorporated by reference into this policy. The standards may be found on the Division of Career Technical Education website at <http://cte.idaho.gov>.

~~44~~[12](#). Internal Policies and Procedures

The chief executive officer may establish additional policies and procedures for the internal management of the Division of Career Technical Education that complement, but do not supplant, the Governing Policies and Procedures of the Board. Such internal policies and procedures are subject to Board review and action.

~~42~~[13](#). Industry Partner Fund

In an effort to increase the capacity of each of Idaho's six public technical colleges to work with regional industry partners to provide a "rapid response to gaps in skills and abilities," Idaho has established the Industry Partner Fund. The purpose of the fund is to provide funds that give the technical colleges the flexibility to work with Idaho employers to provide "timely access to relevant college credit and non-credit training and support projects."

a. Industry Partner Fund Definitions:

- i. Technical College Leadership Council (TCLC) means the career technical education deans of Idaho's six public technical colleges
- ii. Wage threshold means evidence that training will lead to jobs that provide living wages appropriate to the local labor market or local standard of living.
- iii. Regional means the six defined career technical service regions pursuant to Board Policy III.Z.
- iv. Support project means supplemental items, activities, or components that may enhance program outcomes (such as job analysis, placement services, data collection and follow up, workplace readiness skills training, etc.)
- v. Regional industry partners means employers that operate in Idaho and/or serve as a talent pipeline for Idaho students and employees.
- vi. Impact potential means the extent to which the training or project will increase regional capacity to meet talent pipeline needs. May include number of students or employees affected, associated wages, and long-term regional improvement or sustainability. May also include the timeframe for implementation.

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- vii. Demonstrated commitment means the promissory financial commitment made by the partner employer that includes cash or in-kind contribution to the project.

b. Roles and Responsibilities

The Administrator and TCLC are jointly responsible for reviewing and administering the application process for accessing Industry Partner Fund monies.

The TCLC, in accordance with the deadlines outlined in the following section, shall conduct the preliminary review of all proposals to ensure they meet the eligibility requirements and align with legislative intent. Each institution shall have one vote on the TCLC throughout the recommendation process. Deans shall not vote on proposals from their institution. The TCLC shall make recommendations to the division administrator to approve, deny, or modify submitted proposals.

The Administrator shall review all eligible proposals and make the final determination on the award of those proposals.

The Division shall be responsible for management and distribution of all moneys associated with the fund.

c. Submission and Review Process

Proposals will be accepted quarterly, on a schedule set by the Division. The TCLC shall provide the Administrator with recommendations on which proposals to award within 14 calendar days of the closing date of the application period. Pursuant to language outlined in Section 33-2213, Idaho Code, the TCLC and the Administrator will notify the technical college within 30 days of submission of their proposal as to whether their proposal was approved.

Submitted proposals must contain all required supporting documentation, as outlined by the Administrator, the TCLC, and as specified in the application.

Proposals must be signed by the College Dean, Financial Vice President/Chief Fiscal Officer, Provost/Vice President for Instruction, and institution President.

Proposals must outline how the institution and industry partner(s) are unable to meet industry need with existing resources.

d. Eligibility Criteria

Each proposal will be reviewed and evaluated according to the following criteria:

- i. The extent to which the proposal meets regional demand
- ii. Relevant labor market information, which must include, but is not limited to, Idaho Short Term Projections (Idaho Department of Labor)

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- iii. Wage thresholds – low wage program starts should be accompanied with appropriate justification including regional economic demand.
- iv. Impact potential
- v. Degree of employer commitment
- vi. The extent to which the proposal aligns with and/or supports career technical education programs and relevant workforce training
- vii. the anticipated administrative costs
- viii. any special populations that may benefit from the proposed education or training
- ix. sustainability of the program

Preference will be given to proposals that include:

- i. Multiple employers
- ii. Higher number of impacted workers
- iii. Demonstrated commitment (highest consideration will be given to proposals with a matching component)

Each college may submit more than one proposal per quarter. In the event a qualified proposal isn't selected in the quarter in which it was submitted, the proposal may be resubmitted the following quarter. Resubmission of an eligible proposal is not a guarantee of future awards.

e. Distribution and Use of Funds

The Administrator, in awarding funds, shall ensure that funds are available each quarter. As such, the Administrator may adjust or reduce the award amount to an accepted proposal. These adjustments or reductions shall be made in consultation with the TCLC and the technical college impacted and will ensure the original intent of the proposal can still be met.

Funds will be distributed on a one-time basis; renewal proposals may be submitted, based on the nature of the project or training.

Industry Partner Fund moneys may be used for:

- i. Facility improvement/expansion
- ii. Facility leasing
- iii. Curriculum development
- iv. Salaries and benefits (if the training program needs are anticipated to go beyond the initial award, the college must provide additional details on long-term sustainability of the position filled through the fund)
- v. Staff development
- vi. Operating expenses
- vii. Equipment and supplies
- viii. Travel related to the project
- ix. Approved administrative costs, as outlined in the application

Funds may not be used for:

- i. Real property
 - ii. indirect costs
 - iii. the cost of transcribing credits
 - iv. tuition and fees
 - v. materials and equipment normally owned by a student or employee for use in the program or training
- f. Performance Measures and Reporting Requirements
- In accordance with the approved proposal, colleges shall provide a quarterly update and closeout report on elements such as:
- i. Number of affected workers
 - ii. Number of enrolled or participating students
 - iii. Placement rate of training completers
 - iv. Average wages and any wage differential
 - v. Industry match
 - vi. If practicable, Idaho public college credits, certificates, certifications, qualifications or micro certifications of value toward postsecondary certificates or degrees.
 - vii. Funds obligated and expended. Any funds not obligated within 18 months of the initial award shall revert back to the fund.



2022 Cybersecurity

Program Standards

CONTENT STANDARD 1.0: Demonstrate Cybersecurity Career Basics

Performance Standard 1.1: Identify Cybersecurity Career Pathways

- 1.1.1 Identify career pathways in cybersecurity.
- 1.1.2 Identify industry certification options for career pathways.
- 1.1.3 Identify postsecondary options that will advance career pathway goals.

Performance Standard 1.2: Identify the Role of Cybersecurity and Professional Mindsets

- 1.2.1 Describe the objective of cybersecurity in businesses and organizations.
- 1.2.2 Identify the mindsets and traits (e.g., continuous learning, passion, integrity, curiosity) of the cybersecurity professional.

CONTENT STANDARD 2.0: Demonstrate Cybersecurity Fundamentals

Performance Standard 2.1: Identify Cybersecurity Concepts

- 2.1.1 Describe data and data types.
- 2.1.2 Explain the CIA model (confidentiality, integrity, availability).
- 2.1.3 Explain the concepts of authentication, authorization and auditing (AAA).
- 2.1.4 Identify basic cryptography concepts, methods, and uses.
- 2.1.5 Identify the concepts of access control principles.
- 2.1.6 Identify access control models.
- 2.1.7 Explain the principle of least privilege.
- 2.1.8 Describe Zero Trust architecture.
- 2.1.9 Identify techniques to protect data in all three states (i.e., “data in use”, “data at rest” and “data in motion”).
- 2.1.10 Explain types of vulnerabilities, exploits, and cyber threats.
- 2.1.11 Identify the common types of cyber threat actors.
- 2.1.12 Describe the phases of Cyber Kill Chain framework
- 2.1.13 Describe vulnerability management.
- 2.1.14 Explain the importance of asset inventory.
- 2.1.15 Define *risk* and *risk management*.
- 2.1.16 Describe the value of risk assessment.
- 2.1.17 Describe the importance of cybersecurity policies and procedures.

Performance Standard 2.2: Explain Law and Ethics Related to Cybersecurity

- 2.2.1 Explain ethical and legal issues related to cybersecurity.
- 2.2.2 Describe ethical hacking and non-ethical hacking.
- 2.2.3 Identify cyber laws and regulations for individuals and businesses.
- 2.2.4 Explain the importance of protecting intellectual property.

CONTENT STANDARD 3.0: Demonstrate Cybersecurity Skills on Systems and Networks

Performance Standard 3.1: Work with Systems

- 3.1.1 Compare storage media.
- 3.1.2 Describe the architecture of a computer.
- 3.1.3 Compare read-only memory (ROM) and random-access memory (RAM).
- 3.1.4 Describe basic boot methods and boot order.
- 3.1.5 Compare the file structures of Windows and Linux.
- 3.1.6 Describe password policies.
- 3.1.7 Identify programming languages used in cybersecurity.
- 3.1.8 Program with a text-based language (e.g., Python), using version control, unit testing and recommended styles and idioms.



3.1.9 Describe the role of Bash and PowerShell, used by cybersecurity analysts.

Performance Standard 3.2: Work with Networks and the Internet

- 3.2.1 Describe types of area networks (e.g., LAN, WAN, MAN).
- 3.2.2 Describe various network communication technologies (e.g., Wi-Fi, mobile data, Ethernet).
- 3.2.3 Identify networkable devices (i.e., Internet of Things [IoT]), their categories, benefits and security risks.
- 3.2.4 Compare the Open Systems Interconnection (OSI) model and the TCP/IP model.
- 3.2.5 Describe tools and techniques available to identify networking interfaces and their settings.
- 3.2.6 Describe the following network services: Address Resolution Protocol (ARP), Dynamic Host Configuration Protocol (DHCP), and Domain Name System (DNS).
- 3.2.7 Describe subnetting of Layer 3 addresses.
- 3.2.8 Identify the common TCP and UDP ports used in networking.
- 3.2.9 Compare the two transport methods used in Layer 4 of the OSI model within the TCP/IP stack.
- 3.2.10 Describe the use of an access control list on an interface.
- 3.2.11 Describe the use of IP tables for access control.
- 3.2.12 Describe the use of Windows firewall for access control.
- 3.2.13 Compare communication types: unicast, broadcast, multicast, and anycast.
- 3.2.14 Describe the purposes and types of virtual access.
- 3.2.15 Define *Cloud Computing*.

CONTENT STANDARD 4.0: Demonstrate Cybersecurity Operations

Performance Standard 4.1: Manage Systems, Servers, and Network Operations

- 4.1.1 Install and configure Windows desktop operating system.
- 4.1.2 Install and configure Linux desktop operating system.
- 4.1.3 Install and configure server operating system.
- 4.1.4 Manage a desktop operating system through its lifecycle.
- 4.1.5 Manage a server operating system through its lifecycle.
- 4.1.6 Recover a desktop operating system
- 4.1.7 Recover a server operating system.
- 4.1.8 Explain reasons and options for segmentation.
- 4.1.9 Describe the value of logging and monitoring.
- 4.1.10 Obtain information and navigate an operating system, using command line.
- 4.1.11 Perform basic configurations for routers and switches.
- 4.1.12 Implement IP addressing schemes, given an address space.
- 4.1.13 Map different network layer identifiers for a process.
- 4.1.14 Describe network device port security and hardening.
- 4.1.15 Describe operating system hardening.
- 4.1.16 Apply encryption methods and tools to decipher encrypted data.
- 4.1.17 Identify different options for redundancy.
- 4.1.18 Implement redundancy.
- 4.1.19 Identify important data or systems that need redundancy.
- 4.1.20 Define *high availability* (HA).

Performance Standard 4.2: Demonstrate Troubleshooting Techniques

- 4.2.1 Describe basic hardware and software problems, using industry terminology.
- 4.2.2 Describe troubleshooting techniques used with hardware and software to identify and fix errors.
- 4.2.3 Implement systematic troubleshooting strategies used with hardware and software to identify and fix errors.

CONTENT STANDARD 5.0: Mitigate Risk and Vulnerability



Performance Standard 5.1: Manage Risk

- 5.1.1 Perform device discovery.
- 5.1.2 Identify types of tools that can be used to monitor, collect, and analyze information across platforms
- 5.1.3 Describe how a security framework is used to assess the security posture of an enterprise environment.
- 5.1.4 Define *defense in depth*.
- 5.1.5 Describe social engineering.

Performance Standard 5.2: Explore Penetration Testing

- 5.2.1 Explain the proper use of penetration testing versus vulnerability scanning.
- 5.2.2 Describe the steps of a penetration test and its role in securing a business.
- 5.2.3 Identify the Open Web Application Security Project (OWASP) Top 10.
- 5.2.4 Identify Common Vulnerability and Exposure (CVE), a list of specific vulnerabilities for specific products.

Performance Standard 5.3: Explore Physical Security

- 5.3.1 Describe the different types of attacks that affect physical security.
- 5.3.2 Describe physical access controls.

CONTENT STANDARD 6.0: Explore Incident Response

Performance Standard 6.1: Explore Incident Response, Digital Forensics, and Recovery

- 6.1.1 Define *incident response*.
- 6.1.2 Describe the steps of incident response.
- 6.1.3 Explain basic forensic concepts and practices including eDiscovery, documentation, chain of custody, and data transport.
- 6.1.4 Describe the importance of policies and procedures in incident response.
- 6.1.5 Define *recovery*.



2022 Electrical Technician

Program Standards

CONTENT STANDARD 1.0: Demonstrate Electrical Technician Career Basics

Performance Standard 1.1: Identify Electrical-Related Career Pathways and Regulations

- 1.1.1 Identify and maintain licensing and industry credentialing requirements.
- 1.1.2 Research postsecondary apprenticeship program opportunities and requirements.
- 1.1.3 Identify residential, commercial, and industrial career opportunities.
- 1.1.4 Identify elements of jobsite timeline coordination for an electrical project.
- 1.1.5 Identify the importance of job site timeline coordination with other trades.

CONTENT STANDARD 2.0: Practice Jobsite and Tool Safety

Performance Standard 2.1: Practice Jobsite Safety

- 2.1.1 Explain the requirements for and information included on safety data sheets (SDS).
- 2.1.2 Don personal protective equipment (PPE) for any electrical hazard identified, in accordance with NFPA 70E (Standard for Electrical Safety).
- 2.1.3 Describe the effects of electrical shock on the human body.
- 2.1.4 Explain how to verify that circuits are de-energized.
- 2.1.5 Demonstrate proper material handling, storage, use, and disposal.
- 2.1.6 Demonstrate precautions for ladder safety.
- 2.1.7 Describe stairway and scaffold hazards and precautions.
- 2.1.8 Describe jobsite energy hazards and proper lockout/tagout procedures.
- 2.1.9 Identify the location and the types of fire extinguishers and other fire equipment.
- 2.1.10 Demonstrate procedures for using fire extinguishers and other fire safety equipment.
- 2.1.11 Earn the OSHA-10 card (Construction).

Performance Standard 2.2: Practice Tool Identification and Safety

- 2.2.1 Demonstrate safe use and maintenance of hand tools and power tools.
- 2.2.2 Match tools to their intended use and purpose.
- 2.2.3 Perform a safety check before using tools.
- 2.2.4 Identify the components of a conduit bender.
- 2.2.5 Identify the methods and tools used in bending metal conduit and tubing.
- 2.2.6 Identify saddle, offset, concentric, and 90-degree bends.
- 2.2.7 Perform conduit bends, using a conduit bender and a given set of parameters.

Performance Standard 2.3: Use Electrical Test Equipment and Meters

- 2.3.1 Describe meters and their applications to include ohmmeter, ammeter, multimeter, and voltmeter.
- 2.3.2 Select the multimeter setting to read the following: volts, ohms, amps, continuity, and temperature.
- 2.3.3 Identify electrical test equipment safety hazards.
- 2.3.4 Identify meters by their applications in Category I through Category IV.
- 2.3.5 Use an ohmmeter to measure resistance in electrical equipment or conductors.
- 2.3.6 Measure voltage between phases and phase-to-ground.
- 2.3.7 Measure voltage across open and closed switch contacts.
- 2.3.8 Measure amperage reading of various residential loads (e.g., microwave, toaster, curling iron, incandescent versus LED light, desktop computer) to identify branch circuit load calculations.
- 2.3.9 Diagram the proper connection of a watt meter.
- 2.3.10 Describe the operational characteristics of analog and digital meters.
- 2.3.11 Identify the wave form on an oscilloscope.



CONTENT STANDARD 3.0: Interpret Blueprints, Drawings, and Diagrams

Performance Standard 3.1: Read Basic Electrical Construction Documents

- 3.1.1 Locate the information found in drawing blocks.
- 3.1.2 Identify the information found on different types of drawings.
- 3.1.3 Interpret common symbols on MEP (mechanical, electrical, plumbing) plans.
- 3.1.4 Interpret common symbols on electrical wiring diagrams.
- 3.1.5 Identify associated schematic symbols for relays.
- 3.1.6 Interpret a set of electrical drawings.
- 3.1.7 Interpret schedules, block diagrams, and schematic diagrams.
- 3.1.8 Interpret drafting lines.
- 3.1.9 Interpret plans, using an architect's scale.
- 3.1.10 Measure components of plans, using an engineer's scale.
- 3.1.11 Measure components of plans, using a metric scale.

CONTENT STANDARD 4.0: Exploring Electrical Theory and Circuits

Performance Standard 4.1: Apply Basic Electrical Theory

- 4.1.1 Explain the structure of an atom.
- 4.1.2 Compare electron flow and conventional current flow.
- 4.1.3 Describe the difference between insulators and conductors.
- 4.1.4 Explain the basic methods of producing electricity.
- 4.1.5 Define *coulomb*.
- 4.1.6 Define *ampere*.
- 4.1.7 Define *ohm*.
- 4.1.8 Define *watt*.
- 4.1.9 Define *volt*.
- 4.1.10 Determine the resistance of a resistor, using the color code or an ohmmeter.
- 4.1.11 Determine the correct power rating of a resistor in a circuit.
- 4.1.12 Select the proper Ohm's law formula from a chart.
- 4.1.13 Select the proper Watt's law formula from a chart.
- 4.1.14 Calculate different electrical values using Ohm's law.
- 4.1.15 Calculate different electrical values using Watt's law.
- 4.1.16 Describe the nature of static electricity.
- 4.1.17 Describe the nature of magnetism and electromagnetism.
- 4.1.18 Describe the theory and operation of a solenoid.
- 4.1.19 Describe the theory and operation of a relay.

Performance Standard 4.2: Explore Circuits

- 4.2.1 Describe series, parallel, and combination circuit characteristics.
- 4.2.2 Calculate values of voltage, current, resistance, and wattage for series circuits.
- 4.2.3 Calculate values of voltage, current, resistance, and wattage for parallel circuits.
- 4.2.4 Calculate total resistance values in a parallel circuit, using the three resistance formulas (i.e., product over sum, reciprocal, identical resistance values).
- 4.2.5 Calculate voltage, amperage, resistance and wattage in combination circuits.
- 4.2.6 Diagram a series circuit.
- 4.2.7 Diagram a parallel circuit.
- 4.2.8 Diagram a combination circuit.

CONTENT STANDARD 5.0: Navigate and Apply Regulations in the National Electrical Code (NEC)®

Performance Standard 5.1: Identify General Definitions and Requirements—NEC Articles 90, 100, and 110

- 5.1.1 Describe how the NEC began and its purpose.
- 5.1.2 Describe navigation of the NEC, including the terminology, and format (e.g., article, part, section, list, tables, informational notes, Fig. 90.3 Code Arrangement).



- 5.1.3 State the roles of nationally recognized testing laboratories, the National Electrical Manufacturers Association (NEMA), and the National Fire Protection Association (NFPA).
- 5.1.4 Evaluate a location as accessible, readily accessible, or not readily accessible.
- 5.1.5 Identify equipment classified as appliances.
- 5.1.6 Describe the four categories of branch circuits.
- 5.1.7 Compare continuous load and a non-continuous load.
- 5.1.8 Calculate voltage-drop.
- 5.1.9 Determine the enforceability of voltage drop, using informational notes in the NEC.
- 5.1.10 Describe the required distance that a cable should be installed from the edge of the wood-framing member, unless a steel plate is installed.
- 5.1.11 Identify the conductors in a cable and how certain conductors can be re-identified, using the NEC.
- 5.1.12 Determine underground installation provisions.
- 5.1.13 Determine the general provisions for any raceway installation.
- 5.1.14 Determine the type of raceways suited for individual installations.
- 5.1.15 Determine the support requirements for various raceways using the NEC.
- 5.1.16 Calculate the electrical trade size conduit required for any circuit or feeder.
- 5.1.17 Define *panelboard*, *enclosure*, and *cutout box*.
- 5.1.18 Determine the proper application and use of circuit breakers and fuses, using the NEC.
- 5.1.19 Describe *assembly occupancies*.

Performance Standard 5.2: Identify NEC General Requirements for Electrical Installations

- 5.2.1 Select the workspace clearance for electrical equipment.
- 5.2.2 Determine the cubic inch capacity of boxes when installing conductors # 6 AWG and smaller.
- 5.2.3 Determine the box size when the number of conductors is known.
- 5.2.4 State the mounting and supporting provisions for boxes and conduit bodies.
- 5.2.5 Determine the type of box needed for various applications.
- 5.2.6 Determine basic conductor properties.
- 5.2.7 Demonstrate the layout of general-purpose receptacles in a dwelling.
- 5.2.8 Determine the requirements for countertop receptacle placement.
- 5.2.9 Describe the minimum number of small appliance branch circuits required and their applications.
- 5.2.10 Describe the specific provisions for GFCI placement.
- 5.2.11 Identify the NEC accessibility requirements for tamper-proof receptacles.



2022 Heating, Ventilation, and Air Conditioning Standards

Program Standards

CONTENT STANDARD 1.0: Demonstrate HVAC Career Basics

Performance Standard 1.1: Identify HVAC-Related Career Pathways and Regulations

- 1.1.1 Identify and maintain licensing (refrigeration), registration, certification, and industry credentialing requirements (e.g., IDAPA rules, EPA regulations, OSHA, L&I).
- 1.1.2 Research postsecondary apprenticeship program opportunities and requirements.
- 1.1.3 Identify residential, commercial, and industrial career opportunities.
- 1.1.4 Identify the roles of other trades represented on the jobsite.
- 1.1.5 Describe opportunities provided by equipment manufacturers.

CONTENT STANDARD 2.0: Practice Jobsite and Tool Safety

Performance Standard 2.1: Practice Jobsite Safety

- 2.1.1 Identify personal protective equipment (PPE) requirements.
- 2.1.2 Demonstrate proper material handling (e.g., sheet metal), storage, use, and disposal.
- 2.1.3 Demonstrate precautions for ladder safety.
- 2.1.4 Describe stairway and scaffold hazards and precautions.
- 2.1.5 Describe jobsite energy hazards and proper lockout/tagout procedures.
- 2.1.6 Describe refrigerant and pressure vessel storage.
- 2.1.7 Describe the importance of safety procedures for brazing and soldering.
- 2.1.8 Identify the location and the types of fire extinguishers and other fire equipment.
- 2.1.9 Demonstrate procedures for using fire extinguishers and other fire safety equipment.
- 2.1.10 Describe the effects of electrical shock on the human body.
- 2.1.11 Explain how to verify that circuits are de-energized.
- 2.1.12 Earn the OSHA-10 card (Construction).
- 2.1.13 Earn the basic EPA 608 certificate.

Performance Standard 2.2: Practice Tool Identification and Safety

- 2.2.1 Demonstrate safe use and maintenance of hand tools and power tools.
- 2.2.2 Match tools to their intended use and purpose.
- 2.2.3 Perform a safety check before using tools.
- 2.2.4 Demonstrate use of refrigerant handling equipment.
- 2.2.5 Demonstrate use and storage of oxy-acetylene torches and tanks.

Performance Standard 2.3: Use Electrical Test Equipment and Meters

- 2.3.1 Describe meters and their applications to include ohmmeter, ammeter, multimeter, and voltmeter.
- 2.3.2 Select the multimeter setting to read the following: volts, ohms, amps, continuity, and temperature.
- 2.3.3 Identify electrical test equipment safety hazards.
- 2.3.4 Use an ohmmeter to measure resistance in electrical equipment or conductors.
- 2.3.5 Measure voltage between phases and phase-to-ground.
- 2.3.6 Measure voltage across open and closed switch contacts.
- 2.3.7 Measure amperage reading of various residential loads (e.g., microwave, toaster, curling iron, incandescent versus LED light, desktop computer).

Performance Standard 2.4: Braze and Solder Tubing and Piping



- 2.4.1 Identify the purpose of the piping, tubing, and fittings used in the heating, air-conditioning, and refrigeration industry.
- 2.4.2 Identify appropriate brazing and soldering alloys and materials.
- 2.4.3 Explain the purposes and procedures for protecting piping materials and fabrication products, such as valves and fittings, from heat.
- 2.4.4 Perform brazing operations.
- 2.4.5 Perform soldering operations.
- 2.4.6 Describe proper use of piping and tubing fabrication tools (e.g., swaging, flaring).

CONTENT STANDARD 3.0: Apply Academic Foundations

Performance Standard 3.1: Apply Trade Mathematics

- 3.1.1 Identify industry standard units of measure.
- 3.1.2 Convert units of measure.
- 3.1.3 Measure and calculate size, area, volume, temperature, and pressure.
- 3.1.4 Convert between fractions and decimals.
- 3.1.5 Identify measuring tools (i.e., tape measure) and how to use and read them.
- 3.1.6 Perform ratio, percentage, and proportion calculations.
- 3.1.7 Demonstrate the use of order of operations.

Performance Standard 3.2: Use Applied Science

- 3.2.1 Perform energy conversion calculations.
- 3.2.2 Perform sensible, latent, and total heat calculations.
- 3.2.3 Differentiate between saturated, superheated, and subcooled refrigerant.
- 3.2.4 Explain atmospheric, absolute, and gauge-pressure relationship.
- 3.2.5 Convert gauge pressure, absolute pressure, and vacuum.
- 3.2.6 Diagram a basic refrigeration cycle, identifying pressure, temperature, and state of refrigerant.
- 3.2.7 List the type and function of the four major refrigeration components.
- 3.2.8 Describe the methods of heat transfer.
- 3.2.9 Describe the three components of the combustion cycle (i.e., heat, fuel, oxygen).

Performance Standard 3.3: Apply Basic Electricity Fundamentals

- 3.3.1 Describe basic electrical theory.
- 3.3.2 Describe series, parallel, and combination circuit characteristics.
- 3.3.3 Apply Ohm's Law to basic electrical measurements.
- 3.3.4 Interpret basic HVAC electrical circuit diagrams.
- 3.3.5 Describe basic motor operations.

CONTENT STANDARD 4.0: Interpret Blueprints, Drawings, and Diagrams

Performance Standard 4.1: Read Blueprints

- 4.1.1 Locate the information found in drawing blocks.
- 4.1.2 Identify the information found on different types of drawings.
- 4.1.3 Interpret common MEP (mechanical, electrical, plumbing) symbols.
- 4.1.4 Interpret schedules, block diagrams, and schematic diagrams.
- 4.1.5 Interpret drafting lines.
- 4.1.6 Measure components of plans, using an architect's scale.
- 4.1.7 Measure components of plans, using a metric scale.

CONTENT STANDARD 5.0: Explore HVAC Systems

Performance Standard 5.1: Describe Basic Systems

- 5.1.1 Describe fossil-fuel and electrical furnace operations.
- 5.1.2 Describe the typical configuration of residential split air conditioning systems.
- 5.1.3 List various types of commercial air conditioning systems and their applications.
- 5.1.4 Describe the configuration of common duct systems.
- 5.1.5 Describe basic control strategies.

Performance Standard 5.2: Explore Energy Sources



- 5.2.1 Explain natural, liquefied petroleum (LP) gas, and fuel oil characteristics.
- 5.2.2 Describe the application of geothermal systems.
- 5.2.3 Describe the application of renewable energy systems.
- 5.2.4 Describe the application of electrical production and transmission systems.

Performance Standard 5.3: Explore Airflow Distribution

- 5.3.1 Describe basic air flow characteristics.
- 5.3.2 Explain duct-system pressures.
- 5.3.3 Lay out basic fittings (e.g., rectangular duct, transition, furnace base).
- 5.3.4 Fabricate basic fittings (e.g., rectangular duct, transition, furnace base).

Performance Standard 5.4: Practice Installation Techniques

- 5.4.1 Describe split and packaged air conditioning system installation, start-up, and checkout procedures.
- 5.4.2 Explain heat pump heating and cooling cycles.
- 5.4.3 Wire a low-voltage circuit (e.g., thermostat).
- 5.4.4 Wire a high-voltage circuit (e.g., supply power source to load).



2022 Plumbing

Program Standards

CONTENT STANDARD 1.0: Demonstrate Career Basics

Performance Standard 1.1: Identify Plumbing-Related Career Pathways

- 1.1.1 Identify and maintain licensing and industry credentialing requirements.
- 1.1.2 Research postsecondary apprenticeship program opportunities and requirements
- 1.1.3 Identify residential, commercial, service plumbing, and industrial career opportunities.
- 1.1.4 Identify the roles of other trades represented on the jobsite.

Performance Standard 1.2: Adhere to Idaho Plumbing Code and Rules

- 1.2.1 Describe the process for modifying legislation governing plumbing code and rules.
- 1.2.2 Describe the Idaho Plumbing Code and Administrative Rules requirements and how to use the reference.

CONTENT STANDARD 2.0: Practice Jobsite and Tool Safety

Performance Standard 2.1: Practice Jobsite Safety

- 2.1.1 Describe the safety precautions associated with work in trenches.
- 2.1.2 Describe the safety precautions associated with confined spaces.
- 2.1.3 Describe jobsite safeguards and emergency response procedures.
- 2.1.4 Identify personal protective equipment (PPE) requirements.
- 2.1.5 Demonstrate material handling, storage, use, and disposal procedures.
- 2.1.6 Demonstrate precautions for ladder safety.
- 2.1.7 Describe stairway and scaffold hazards and precautions.
- 2.1.8 Describe lockout/tagout procedures.
- 2.1.9 Describe the importance of safety procedures for brazing and soldering.
- 2.1.10 Earn an OSHA-10 card.
- 2.1.11 Identify the location and the types of fire extinguishers and other fire equipment.
- 2.1.12 Demonstrate knowledge of the procedures for using fire extinguishers and other fire safety equipment.
- 2.1.13 Describe the effects of electrical shock on the human body.
- 2.1.14 Explain how to verify that circuits are de-energized.

Performance Standard 2.2: Practice Tool Identification and Safety

- 2.2.1 Identify the types of hand tools and power tools used in the plumbing profession.
- 2.2.2 Match tools to their intended use and purpose.
- 2.2.3 Perform a safety check before using tools.
- 2.2.4 Demonstrate safe use and maintenance of hand tools and power tools.
- 2.2.5 Explain storage procedures for torches and tanks.
- 2.2.6 Demonstrate safe use of torches for soldering.

CONTENT STANDARD 3.0: Work with Plumbing Materials

Performance Standard 3.1: Identify Fittings and Valves

- 3.1.1 Identify the proper fittings and valves for specific systems.
- 3.1.2 Identify the parts of a fitting.
- 3.1.3 Apply the various fittings and valves by type, size, material, and application.

Performance Standard 3.2: Identify Types of Pipe

- 3.2.1 Identify the common pipes by type, size, and material.
- 3.2.2 Identify the proper pipes for specific systems.
- 3.2.3 Compare piping and tubing.

CONTENT STANDARD 4.0: Apply Trade Mathematics

Performance Standard 4.1: Apply Mathematics



- 4.1.1 Use technology (i.e., calculator) to solve plumbing math measurement and calculation scenarios.
- 4.1.2 Identify industry standard units of measure.
- 4.1.3 Convert units of measure.
- 4.1.4 Identify basic geometry used in the plumbing profession.
- 4.1.5 Solve basic geometry problems, using formulas.
- 4.1.6 Solve problems relating to area, volume, weight, temperature and pressure.
- 4.1.7 Convert between fractions and decimals.
- 4.1.8 Identify measuring tools (i.e., tape measure) and how to use and read them.
- 4.1.9 Demonstrate the use of order of operations.
- 4.1.10 Define *makeup*.
- 4.1.11 Define *fitting allowance*.
- 4.1.12 Use manufacturer's tables to select pipe and fittings.
- 4.1.13 Measure pipe, using the following methods: end-to-end; end-to-center; center-to-center; end-to-face; face-to-face; and face-to-throat.
- 4.1.14 Determine end-to-end dimensions by including fitting allowances and makeup.

CONTENT STANDARD 5.0: Interpret Drawings and Plans

Performance Standard 5.1: Interpret Isometric Drawings

- 5.1.1 Describe the use of isometric drawings in plumbing.
- 5.1.2 Identify various plumbing symbols and abbreviations on isometric drawings.
- 5.1.3 Identify components and pipe segments in isometric drawings.

Performance Standard 5.2:

- 5.2.1 Describe basic plumbing symbols, abbreviations, and specifications on plans.
- 5.2.2 Identify site plans, floor plans, elevations, sectional views, details, schedules, and specifications.
- 5.2.3 Interpret plans, using an architect's scale.

CONTENT STANDARD 6.0: Reference the Uniform Plumbing Code (UPC)

Performance Standard 6.1: Follow General Procedures

- 6.1.1 Identify general plumbing requirements for hanging and securing piping.
- 6.1.2 Perform water pipe sizing calculations.
- 6.1.3 Perform drain and waste pipe sizing calculations.
- 6.1.4 Describe the use of traps and interceptors.
- 6.1.5 Reference the IDAPA plumbing rules and statutes (Title 54).
- 6.1.6 Perform fuel gas sizing calculations.
- 6.1.7 Associate the official UPC definitions to plumbing applications (e.g., *air break* versus *air gap*).

Performance Standard 6.2: Cut and Join Pipes

- 6.2.1 Join different types of pipes including ABS/PVC, PEX, galvanized, steel, copper, and cast-iron pipes.
- 6.2.2 Measure and mark various pipes.
- 6.2.3 Cut a variety of pipes, using associated pipe cutters and methods.
- 6.2.4 Set up a power-driven pipe-threading machine.
- 6.2.5 Thread a steel pipe with a pipe-threading machine.

Performance Standard 6.3: Describe Plumbing Fixtures

- 6.3.1 Explain the operating principles of water closets.
- 6.3.2 Install plumbing fixtures and faucets.
- 6.3.3 Describe compression and non-compression faucets.
- 6.3.4 Identify appurtenances related to fixtures.
- 6.3.5 Repair fixtures and faucets.

Performance Standard 6.4: Explore Drain, Waste, and Vent (DWV) Systems

- 6.4.1 Describe the components of DWV systems.



- 6.4.2 Explain the requirements for sizing of drains and vents.
- 6.4.3 Identify the types and parts of traps.
- 6.4.4 Describe the ways traps can lose their seals.
- 6.4.5 Identify the types of DWV fittings and their requirements.
- 6.4.6 Explain the importance of grade.
- 6.4.7 Describe the health concerns that may arise from faulty DWV systems

Performance Standard 6.5: Explore Water Distribution Systems

- 6.5.1 Identify water sources.
- 6.5.2 Describe water distribution systems.
- 6.5.3 Describe the purpose of backflow preventers.
- 6.5.4 Describe the health concerns that may arise from faulty water distribution systems.

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SUBJECT

Legislative Proposals – 2023 Legislative Session

REFERENCE

June 2019	Board approved thirteen (13) legislative ideas to be submitted through the Executive Agency Legislative process.
August 2019	Board approved five (5) pieces of legislation move forward through the Executive Agency Legislative process.
June 2020	Board approved nine (9) legislative ideas to be submitted through the Executive Agency Legislative process.
August 2020	Board approved four (4) pieces of legislation move forward through the Executive Agency Legislative process.
June 2021	Board approved seven (7) legislative ideas to be submitted through the Executive Agency Legislative process.

BACKGROUND/ DISCUSSION

The State Board of Education's legislative process starts with the approval of legislative ideas for submittal through the Executive Agency Legislative process. Legislative ideas that are approved by the Board are submitted electronically to the Division of Financial Management (DFM) through the Executive Agency Legislative process for consideration by the Governor. A legislative idea consists of a statement of purpose and a fiscal impact. Legislative ideas approved by the Board and the Governor are then brought back to the Board as legislative proposals for consideration by the Board. Legislative ideas approved to move forward through the Executive Agency Legislative process do not necessarily constitute support of the proposed legislation by the Governor.

Legislative proposals consisting of the actual language that will be included in the legislation are then brought back to the Board for consideration at its regular August meeting. Legislative proposals approved by the Board are then submitted to DFM through the same legislative process and forwarded to the Governor for consideration. Proposals at that stage are then submitted to the Legislative Services Office for processing and routed to the legislature.

In accordance with the Board's Master Planning Calendar, legislative ideas from the institutions and agencies must be submitted for the Board's consideration by the June Board meeting deadlines. No legislative ideas were received from the institutions or agencies this year. The following legislative ideas are a result of recommendations from the Governor's Our Kid's Idaho's Future Task Force recommendations adopted by the Board, and Board staff work after receiving feedback from education stakeholders.

Approved Legislative Proposals

1. Shift to FTE Enrollment to Calculate Support Units (based on Task Force recommendation)
2. Instructional Staff Apprenticeship Program
3. Career Technical School Added Cost Funding Eligibility

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4. Regional Career Technical Charter School
5. Charter School Appeals Process
6. Educator Certification Standards
7. Professional Standards Commission
8. Statewide Confidential Tip Line – School Safety and Security Program
9. Education Data
10. Continuous Improvement Plans
11. Agency Strategic Planning
12. Extended Learner
13. Retirement Options
14. School District Boundaries
15. Education Opportunity Resource Act
16. Rural School Definition

Of the 15 legislative proposals, proposals 1 and 2 (Attachment 2 and 3) are significant policy changes, while the remaining legislative proposals are administrative in nature.

IMPACT

Staff will submit Board-approved legislative proposals through the executive agency legislative process. The Board will be updated as the legislative proposals move through the process and any substantive amendments to the proposals will be brought back to the Board for further discussion.

ATTACHMENTS

- Attachment 1 – Legislative Ideas – Statement of Purpose and Fiscal Impact
- Attachment 2 – Shift to FTE Enrollment to Calculate Support Units (based on Task Force recommendation)
- Attachment 3 – Instructional Staff Apprenticeship Program
- Attachment 4 – Career Technical School Added Cost Funding Eligibility
- Attachment 5 – Regional Career Technical Charter School
- Attachment 6 – Educator Certification Standards
- Attachment 7 – Professional Standards Commission
- Attachment 8 – Statewide Confidential Tip Line – School Safety and Security Program
- Attachment 9 – Education Data
- Attachment 10 – Continuous Improvement Plans
- Attachment 11 – Agency Strategic Planning
- Attachment 12 – Extended Learner
- Attachment 13 – School District Boundaries
- Attachment 14 – Education Opportunity Resource Act
- Attachment 15 – Rural School Definition
- Attachment 16 – Retirement Options

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Legislative ideas are required to be submitted to DFM in July each year with legislative proposal (legislative language) required to be submitted in mid-August

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of each year. The Board has historically authorized the executive director to submit any additional ideas or authorize non-substantive edits to the Board's approved legislative proposal prior to final submittal to the Legislative Services Office for routing to the legislature. Any substantive changes will be brought back to the Board for consideration prior to any approved legislative proposals being assigned a Routing Slip (RS) number.

Attachment 1 provides a brief summary of each piece of legislation, while the subsequent attachments provide the draft language for each piece of legislation. Board staff will be available to walk the Board through any of the legislation they would like to thorough explore and answer questions.

Staff recommends approval of all legislative proposals.

BOARD ACTION

I move to approve the proposed legislation in substantial conformance to Attachments 2 through 16, and to authorize the Executive Director to make additional changes as necessary as the legislation moves forward through the legislative process.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

2023 LEGISLATIVE PROPOSALS

1. Shift to FTE Enrollment to Calculate Support Units

Statement of Purpose

The current calculation for determining support units in public school funding is driven by the number of students determined to be in average daily attendance. Average daily attendance is calculated based on the number of students reported in full or half-day attendance each day the school is in session. How students are reported is established in Administrative Code, IDAPA 08.02.01. For FY 24 this calculation will be based temporarily on FTE student enrollment. This legislation would change the support unit calculation to one based on FTE enrollment rather than one based on daily attendance. The current FTE enrollment calculation also requires students to attend the course(s) they are enrolled in and requires students who have not attended for 11 or more days to be excluded from the FTE enrollment calculations.

Fiscal Impact

FTE enrollment calculations have been used to calculate support units in FY 22 and FY 23. Using this methodology for calculating support units on an ongoing basis will result in no fiscal impact from the past two years other than the year over year increase experienced in the student population. Using the enrollment methodology for funding purposes results in the state funding 100% of the students that schools are educating during the school year. This methodology includes safeguards that exclude students that have more than 11 or more unexcused absences. The previous methodology of using average daily attendance to calculate support units results in approximately 95% of the students that are educated by Idaho Public Schools being funded. A move back to this methodology could result in a reduction in the FY 24 Public Schools budget. By adjusting the support unit value to a value equivalent to approximately 95% of students equivalent to a rate calculated using daily attendance could make an ongoing move to public school funding based on FTE enrollment budget neutral.

2. Instructional Staff Apprenticeship Program

Statement of Purpose

The purpose of this legislation would be to make a few administrative changes in the current certification requirements to allow for individuals who complete an approved registered apprenticeship program to be eligible for certification. Proposed amendments to Section 33-1201, Idaho Code, allow for a student serving in a practicum, internship or student teaching position under the supervision of a certificated staff person to be paid. Proposed amendments to section 33-1203, Idaho Code, would allow for successful completers of an approved registered apprenticeship program to be eligible for standard certification. This added flexibility would allow schools to implement apprenticeship programs that met minimum standards at completion but could be completed in less time than a four-year degree program. This flexibility would create a pathway for school

districts and charter schools to create “grow your own” programs for their paraprofessionals who do not have a baccalaureate degree or other individuals who are interested in becoming instructional staff through a more hands on environment.

Fiscal Impact

These amendments would not result in any additional fiscal impact to the state. Salary based apportionment is limited based on a calculated staff allowance. The staff allowance is determined based on students in average daily attendance. Additional positions do not necessarily create a liability to the state general fund. Individuals participating in an approved apprenticeship program could be paid, at the discretion of the school district or charter school, based on a locally set amount for participants of the apprenticeship program. Participating apprentice students would be able to serve as the teacher of record, but would not be reported as certificated staff. Additionally, various grants are available through the US Department of Labor to help develop or expand registered apprenticeship programs at the state level. School districts could apply for the grants or could use local funding sources to pay participants in an apprenticeship program.

3. Career Technical School Added Cost Funding Eligibility

Statement of Purpose

Currently, Section 33-1002G, Idaho Code, only authorizes school districts and public charter schools to establish career technical schools that qualify for funding appropriated for the specific purpose of supporting the added cost of high quality career technical schools. To be eligible for this added funding, at least 15% of the students attending the career technical school (CTS) must come from a separate high school. In recent years, school districts in rural areas have expressed difficulty in being able to recruit 15% of the CTS students from other high schools during the initial startup years when student enrollments are lower. This limits the ability for rural areas to stand up collaborative programs. The proposed amendments would allow new schools to be eligible with an initial cohort of students with only 5% of the students coming from a separate high school. This amount would increase each year by 5% for the first three years, at which time the school would have the same 15% requirement as established programs. Additional changes would allow for existing programs, with approval from the Division of Career Technical Education, to use a three-year rolling average to calculate the 15% requirement. This flexibility would allow an established program to continue to receive the CTS added cost funding even if they saw a fluctuation in a given year in the 15% student enrollment requirement.

Fiscal Impact

There would be no additional fiscal impact to the state general fund. Currently, career technical school added cost funding is based on an annual appropriation. That annual appropriation is then divided by the eligible career technical schools on a student enrollment basis pursuant to IDAPA 55.01.03.

4. Regional Career Technical Charter School

Statement of Purpose

Section 33-5215, Idaho Code, sets out provisions for the creation of Career Technical Regional Public Charter schools. Over the past two years, Board staff have identified discrepancies in how these schools have reported data and in compliance with requirements set forth in Idaho Code. The proposed amendments would clarify the Division of Career Technical Education's role in approving career technical education programs, the reporting of students when shared between multiple schools, the locations of the career technical education programs and the responsibilities of the school authorizer.

Fiscal Impact

These amendments would not result in any additional fiscal impact to the state.

5. Educator Certification Standards

Statement of Purpose

HB 716 (2022) moved the Idaho Standards for Initial Certification of Professional School Personnel out of IDAPA 08.02.02 where they were incorporated by reference into Section 33-114A, Idaho Code. A portion of these standards is historically updated each year to help keep them up to date and relevant. At the April Board meeting, the Board discussed additional updates to these standards, which would include state specific requirements for incorporating the college and career competencies across content areas. Having these standards incorporated in Idaho Code eliminated the Board's ability to initiate updates to the standards without going through the legislative process and eliminates the ability for the Board to be nimble and make amendments to these standards should an emergency need arise. Additionally, it has been brought to Board staff attention that the removal of all of the content specific standards may have a negative impact on our educator preparation programs' current accreditation. The language in the new standards also results in no state standards for pupil service staff positions, but allows any program accredited by one of the identified accrediting bodies to be considered as meeting the now nonexistent state standards. This proposed legislation would repeal Section 33-114A, Idaho Code, allowing the standards to be approved by the Board and placed back into the negotiated administrative rules process.

Fiscal Impact

These amendments would not result in any additional fiscal impact to the state.

6. Professional Standards Commission

Statement of Purpose

Section 33-1252, Idaho Code, establishes the professional standards commission and the process for the State Board of Education to consider appointments to the Commission. This includes the appointment of a member of the staff of the Department of Education and the Division of Career Technical Education. The proposed amendment

would add one additional member, a staff person from the Office of the State Board of Education.

Fiscal Impact

These amendments would not result in any additional fiscal impact to the state.

7. Statewide Confidential Tip Line – School Safety and Security Program

Statement of Purpose

The Office of School Safety received a federal grant to establish the See-Tell-Now Tip Line. This statewide resource can be accessed through <https://seeetellnow.org>. The federal grant has since ended and in FY 24 the Office of the State Board of Education received general funds for continuing the tip line. The proposed legislation would codify the statewide tip line as a function of the School Safety and Security Program that now resides in the Office of the State Board of Education. By codifying the requirement for a tip line, school districts and charter schools will be provided continued access to a statewide tip line.

Fiscal Impact

The additional responsibility would not result in any additional fiscal impact to the state above what is currently appropriated.

8. Education Data

Statement of Purpose

Section 33-133, Idaho Code, sets out provisions for keeping Idaho student data secure and limiting access to personally identifiable student information. The proposed legislation would clarify reporting requirements on student data use, expand definitions to include educator and student personally identifiable information to assure the protection of educator data and align language with various education record security requirements.

Fiscal Impact

There would be no fiscal impact. Proposed changes would clarify existing requirements and assure consistency in how educational records are handled and kept secure.

9. Continuous Improvement Plans

Statement of Purpose

Section 33-320, Idaho Code, sets out the requirements for school districts and charter schools to develop and make publicly available the local education agencies (LEA) continuous improvement plans. These requirements include a requirement for LEAs to include individual staff performance on various measures. LEAs have been required to include this information for two years now and have struggled with how to meet the requirement in a meaningful way. The proposed legislation would amend the requirement to allow LEAs to report the information at an aggregate level rather than individual staff performance level.

Fiscal Impact

There would be no fiscal impact. The proposed amendments would clarify and streamline an existing regulation.

10. Agency Strategic Planning

Statement of Purpose

Section 67-1904, Idaho Code, requires each state agency to develop and submit to the Division of Financial Management comprehensive strategic plans annually. As used in chapter 19, title 67, Idaho Code, “state agency” includes all of the agencies, institutions, and special programs and health programs under the State Board of Education’s governance and oversight. The proposed legislation would provide clarification allowing the special and health programs’ strategic plans to be incorporated into the sponsoring institution’s strategic plan.

Fiscal Impact

There would be no fiscal impact. The proposed amendments would clarify and streamline an existing regulation.

11. Extended Learner

Statement of Purpose

Section 33-512D, Idaho Code, establishes provisions for Extended Learner programs in Idaho public schools. This program allows school districts and charter schools to identify eligible students as Extended Learners. Extended Learners are allowed to attend school on a flexible schedule and be reported as a full-time student in attendance each instructional day for public school funding purposes. While working through the reporting requirements for these students, Board staff identified an issue with the current program language that would allow part-time dual enrolled students who also met the student eligibility requirements to be reported as a full day of attendance or 1 FTE student enrollment for funding purposes. The proposed amendment would allow only students who attend public school “full-time” to be eligible for the program.

Fiscal Impact

There would be a potential positive fiscal impact to the General Fund. The added clarification would limit eligibility to those students who would be equivalent to full-time students in the public school system if they were not identified as an Extended Learner. This will eliminate the possibility of students who might be enrolled in only one course to be reported as a full-time student for funding purposes.

12. School District Boundaries

Statement of Purpose

The State Board of Education has a responsibility in approving the external boundaries of school districts and the internal boundaries of school district trustee zones. Once there

has been a change in one of these boundaries, the Idaho Tax Commission and the county clerks are notified of the boundary change and provided with the legal description of the amended boundaries. During the recent exercise of equalizing school district trustee zones, due to the decennial census population changes, there were some discrepancies in the school district boundaries' information at the county level. The proposed legislation would add language identifying the Idaho Tax Commission as the official repository of school district boundary information. The Tax Commission has an extensive GIS program that uniquely positions them to provide information to the counties and other parties on school district boundaries, internal and external. Board staff have discussed this proposal with Tax Commission staff, and they are supportive.

Fiscal Impact

There would be no fiscal impact. The Idaho Tax Commission already receives the legal descriptions of the school district boundaries and uses this information to provide electronic maps through their website.

13. Education Opportunity Resource Act

Statement of Purpose

The purpose of the Education Opportunity Resource Act is to establish a resource for Idaho's education and library system in providing broadband, wireless local area network (LAN) and related services to students and establishes a committee in the Department of Education to focus on the broadband, wireless LAN and related services needs of all E-rate eligible entities. This program was established in 2016 along with the Broadband Infrastructure Improvement Grant Program. At the time, the K-12 portion of the state longitudinal data system was housed in the Department of Education and the Chief Information Officer served as the Committee Chair. With the move of the data system to the Office of the State Board of Education there has been some disconnect on which is responsible for staffing this committee. The proposed legislation would clarify and align responsibilities for staffing the committee while at the same time maintaining the distribution of any eligible grant funds or e-rate reimbursement through the current process with the Department of Education.

Fiscal Impact

The proposed amendments would be budget neutral.

14. Rural School Definition

Statement of Purpose

Section 33-319, Idaho Code, establishes the state definition for rural schools. The current definition is so broad it includes approximately 85% of Idaho's public schools. The proposed legislation would create rural subcategories to allow for a more targeted discussion or distribution of resources to rural school districts or schools. The rural subcategories would be based on distance from urban areas as well as population density and would be categorized as rural fringe, rural distant, and rural remote.

Fiscal Impact

The proposed amendments would have no fiscal impact. The refined definition would allow for more targeted discussions around rural schools but would not have impact on current public schools funding.

15. Retirement Options

Statement of Purpose

Currently under Section 33-107A, Idaho Code, all eligible employees, unless vested in PERSI, must participate in the Optional Retirement Plan. Nonclassified staff of the Office of the State Board of Education may only participate in PERSI if they are already vested in PERSI when they come to work for a postsecondary institution or the Office of the State Board of Education ("OSBE"). Under Idaho Code, 67-5303(j), non-classified employees include those who meet the qualifications of "officer." Employees from other state agencies or Idaho institutions or public schools who may not yet be vested in PERSI are thus deterred from employment with OSBE. An employee must have contributed to PERSI for five years or been hired by an elected official to be vested in PERSI. The legislation would amend Section 33-107A, Idaho Code, to allow all new hires with OSBE to make a one-time election to participate in PERSI even if they are not yet vested in PERSI.

Fiscal Impact

Preliminary discussion's indicates the fiscal impact would be minimal. If the Board approves the legislative idea, PERSI would have their actuaries develop a projected fiscal impact, however, do to the small number of employee hired by the Board office the impact is expected to be negligible.

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Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-1001, Idaho Code, be, and the same is hereby amended to read as follows:

33-1001. DEFINITIONS. As used in this chapter:

(1) "Administrative schools" means and applies to all elementary schools and kindergartens within a district that are situated ten (10) miles or less from both the other elementary schools and the principal administrative office of the district and all secondary schools within a district that are situated fifteen (15) miles or less from other secondary schools of the district.

(2) "Administrative staff" means those who hold an administrator certificate and are employed as a superintendent, an elementary or secondary school principal, or are assigned administrative duties over and above those commonly assigned to teachers.

(3) "At-risk student" means a student in grades 6 through 12 who:

(a) Meets at least three (3) of the following criteria:

- (i) Has repeated at least one (1) grade;
- (ii) Has absenteeism greater than ten percent (10%) during the preceding semester;
- (iii) Has an overall grade point average less than 1.5 on a 4.0 scale prior to enrolling in an alternative secondary program;
- (iv) Has failed one (1) or more academic subjects in the past year;
- (v) Is below proficient, based on local criteria, standardized tests, or both;
- (vi) Is two (2) or more credits per year behind the rate required to graduate or for grade promotion; or
- (vii) Has attended three (3) or more schools within the previous two (2) years, not including dual enrollment; or

(b) Meets any of the following criteria:

- (i) Has documented substance abuse or a pattern of substance abuse;
- (ii) Is pregnant or a parent;
- (iii) Is an emancipated youth or unaccompanied youth;
- (iv) Is a previous dropout;
- (v) Has a serious personal, emotional, or medical issue or issues;
- (vi) Has a court or agency referral; or
- (vii) Demonstrates behavior detrimental to the student's academic progress.

(4) "Average daily attendance" or "pupils in average daily attendance" means the aggregate number of days enrolled students are present, divided by the number of days of school in the reporting period; provided, however, that students for whom no ~~Idaho school district~~ local education agency is a home ~~district~~ local education agency shall not be considered in such computation.

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(5) "Average full-time equivalent enrollment" means the average number of enrolled students reported pursuant to Section 33-1027, Idaho code, who are receiving instructional and student services from an appropriately qualified individual through the local education agency. To be included in the average the student must be receiving instruction or student services, participating in course work and have regular communication with the instructional staff, pupil service staff, or other local education agency staff as applicable to the course, services, or student individualized education plan.

(56) "Career ladder" means the compensation table used for determining the allocations ~~districts~~ local education agencies receive for instructional staff and pupil service staff based on specific performance criteria and is made up of a residency compensation rung and a professional compensation rung.

(67) "Child with a disability" means a child evaluated as having an intellectual disability, a hearing loss including deafness, a speech or language impairment, a visual impairment including blindness, an emotional behavioral disorder, an orthopedic impairment, autism, a traumatic brain injury, another health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.

(78) "Compensation rung" means the rung on the career ladder that corresponds with the compensation level performance criteria.

(89) "Economically disadvantaged student" means a student who:

(a) Is eligible for a free or reduced-price lunch under the Richard B. Russell national school lunch act, 42 U.S.C. 1751 et seq., excluding students who are only eligible through a school's community eligibility program;

(b) Resides with a family receiving assistance under the program of block grants to states for temporary assistance for needy families (TANF) established under part A of title IV of the social security act, 42 U.S.C. 601 et seq.;

(c) Is eligible to receive medical assistance under the medicaid program under title XIX of the social security act, 42 U.S.C. 1396 et seq.; or

(d) Is considered homeless for purposes of the federal McKinney-Vento homeless assistance act, 42 U.S.C. 11301 et seq.

(910) "Elementary grades" ~~or "elementary average daily attendance"~~ means and applies to students enrolled in grades 1 through 6, inclusive, or any combination thereof.

(1011) "Elementary schools" are schools that serve grades 1 through 6, inclusive, or any combination thereof.

(1112) "Elementary/secondary schools" are schools that serve grades 1 through 12, inclusive, or any combination thereof.

(1213) "English language learner" or "ELL" means a student who does not score proficient on the English language development assessment established by rule of the state board of education.

(1314) "Gifted and talented" shall have the same meaning as provided in section 33-2001(4), Idaho Code.

(1415) "Homebound student" means any student who would normally and regularly attend school, but is confined to home or hospital

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because of an illness or accident for a period of ten (10) or more consecutive days.

(~~15~~16) "Instructional staff" means those who hold an Idaho certificate issued under section 33-1201, Idaho Code, and who are either involved in the direct instruction of a student or group of students or who serve in a mentor or teacher leader position for individuals who hold an Idaho certificate issued under section 33-1201, Idaho Code.

(~~16~~17) "Kindergarten" ~~or "kindergarten average daily attendance"~~ means and applies to all students enrolled in a school year, less than a school year, or summer kindergarten program.

(18) "Local education agency" means an Idaho school district or Idaho public charter school that has been established pursuant to chapter 52, title 33, Idaho code.

(~~17~~19) "Local salary schedule" means a compensation table adopted by a ~~school-district-local~~ education agency or public charter school, which table is used for determining moneys to be distributed for instructional staff and pupil service staff salaries. Minimum compensation provided under a local salary schedule shall be at least equal to thirty-eight thousand five hundred dollars (\$38,500) or, for staff holding a professional endorsement, forty-two thousand five hundred dollars (\$42,500).

(~~18~~20) "Measurable student achievement" means the measurement of student academic achievement or growth within a given interval of instruction for those students who have been enrolled in and attended eighty percent (80%) of the interval of instruction. Measures and targets shall be chosen at the school level in collaboration with the staff member impacted by the measures and applicable ~~district-local~~ education agency staff and approved by the school board. Measures and targets must also align with the performance measures and benchmarks in the continuous improvement plan described in section 33--320, Idaho Code. The most effective measures and targets are those generated as close to the actual work as possible. Targets may be based on grade or department level achievement or growth goals that create collaboration within groups. Individual measurable student achievement targets and the percentage of students meeting individual targets must be reported annually to the state. Assessment tools that may be used for measuring student achievement and growth include:

(a) Idaho standards achievement test (ISAT), including interim ISAT assessments;

(b) Student learning objectives;

(c) Teacher constructed assessments of student growth;

(d) Pre and posttests, including ~~district-local~~ education agency adopted tests;

(e) Performance based assessments;

(f) Idaho reading indicator, which will be one (1) of the required assessment tools for applicable staff;

(g) College entrance exams or preliminary college entrance exams such as PSAT, SAT, PACT, and ACT;

(h) Advanced placement exams;

(i) Career technical exams;

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(j) Number of business or industry certificates or credentials earned by students in an approved career technical education program;

(k) Number of students completing career technical education capstone courses; and

(l) Number of students enrolled in career technical education courses that are part of a program that culminates with business or industry certificates or credentials.

(~~19~~21) "Performance criteria" means the standards specified for instructional staff and pupil service staff to demonstrate teaching proficiency for a given compensation rung. Each element of the professional compensation rung and advanced professional compensation rung performance criteria, as identified in this section and as applicable to a staff member's position, shall be documented, reported, and subject to review for determining movement on the career ladder.

(~~20~~22)(a) "Professional compensation rung performance criteria" means:

(i) An overall rating of proficient or higher, and no components rated as unsatisfactory, on the state framework for teaching evaluation; and

(ii) Demonstrating the majority of students have met measurable student achievement targets or student success indicator targets.

(b) "Advanced professional compensation rung performance criteria" means:

(i) An overall rating of proficient or higher, no components rated as unsatisfactory or basic, and rated as distinguished overall in domain two – classroom environment, or domain three – instruction and use of assessment, on the state framework for teaching evaluation or equivalent for pupil service staff; and

(ii) Demonstrating seventy-five percent (75%) or more of their students have met their measurable student achievement targets or student success indicator targets.

(~~21~~23) "Public school district" or "school district" or "district" means any public school district organized under the laws of this state, including specially chartered school districts.

(~~22~~24) "Pupil service staff" means those who provide services to students but are not involved in direct instruction of those students, and hold a pupil personnel services certificate.

(~~23~~25) "Secondary grades" ~~or "secondary average daily attendance"~~ means and applies to students enrolled in grades 7 through 12, inclusive, or any combination thereof.

(~~24~~26) "Secondary schools" are schools that serve grades 7 through 12, inclusive, or any combination thereof.

(~~25~~27) "Separate elementary school" means an elementary school located more than ten (10) miles on an all-weather road from both the nearest elementary school and elementary/secondary school serving like grades within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools.

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(~~26~~28) "Separate kindergarten" means a kindergarten located more than ten (10) miles on an all-weather road from both the nearest kindergarten school within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools.

(~~27~~29) "Separate secondary school" means any secondary school located more than fifteen (15) miles on an all-weather road from any other secondary school and elementary/secondary school serving like grades operated by the district.

(~~28~~30) "Special education" means specially designed instruction or speech/language therapy at no cost to the parent to meet the unique needs of a student who is a child with a disability, including instruction in the classroom, the home, hospitals, institutions, and other settings; instruction in physical education; speech therapy and language therapy; transition services; travel training; assistive technology services; and vocational education.

(~~29~~31) "Student success indicators" means measurable indicators of student achievement or growth, other than academic, within a predefined interval of time for a specified group of students. Measures and targets shall be chosen at the ~~district~~local education agency or school level in collaboration with the pupil service staff member impacted by the measures and applicable ~~district~~local education agency staff. Individual measurable student achievement targets and the percentage of students meeting each target must be reported annually to the state. Student success indicators include:

- (a) Quantifiable goals stated in a student's 504 plan or individualized education plan.
- (b) Quantifiable goals stated in a student's behavior improvement plan.
- (c) School or ~~district~~local education agency identified measurable student objectives for a specified student group or population.
- (d) The percentage of students who create student learning plans in grade 8 or who annually update their student learning plans thereafter.
- (e) The percentage of students who satisfactorily complete one (1) or more advanced opportunities options as identified in section 33-4602, Idaho Code, or who earn business or industry certificates or credentials. This indicator shall be one (1) of the required indicators for applicable staff.

(~~30~~32) "Support program" means the educational support program as described in section 33-1002, Idaho Code, the transportation support program described in section 33-1006, Idaho Code, and the exceptional education support program as described in section 33-1007, Idaho Code.

(~~31~~33) "Support unit" means a function of average ~~daily attendance~~full-time equivalent enrollment used in the calculations to determine financial support provided to the public school ~~districts~~local education agencies.

(~~32~~34) "Teacher" means any person employed in a teaching, instructional, supervisory, educational administrative or educational

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and scientific capacity in any ~~school district~~ local education agency. In case of doubt, the state board of education shall determine whether any person employed requires certification as a teacher.

33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support program is calculated as follows:

(1) State Educational Support Funds. Add the state appropriation, including the moneys available in the public school income fund, together with all miscellaneous revenues to determine the total state funds.

(2) From the total state funds subtract the following amounts needed for state support of special programs provided by a ~~school district~~ local education agency:

(a) Pupil tuition-equivalency allowances as provided in section 33-1002B, Idaho Code;

(b) Transportation support program as provided in section 33-1006, Idaho Code;

(c) Feasibility studies allowance as provided in section 33-1007A, Idaho Code;

(d) The approved costs for border district allowance, provided in section 33-1403, Idaho Code, as determined by the state ~~superintendent of public instruction~~ department of education;

(e) The approved costs for exceptional child approved contract allowance, provided in subsection 2. of section 33-2004, Idaho Code, as determined by the state ~~superintendent of public instruction~~ department of education;

(f) Salary-based apportionment calculated as provided in sections 33-1004 through 33-1004F, Idaho Code;

(g) Unemployment insurance benefit payments according to the provisions of section 72-1349A, Idaho Code;

(h) For expenditure as provided by the public school technology program;

(i) For employee severance payments as provided in section 33-521, Idaho Code;

(j) For distributions to the Idaho digital learning academy as provided in section 33-1020, Idaho Code;

(k) For charter school facilities funds and reimbursements paid pursuant to section 33-5208(5), Idaho Code;

(l) For an online course portal as provided for in section 33-1024, Idaho Code;

(m) For advanced opportunities as provided for in chapter 46, title 33, Idaho Code;

(n) For additional math and science courses for high school students as provided in section 33-1021, Idaho Code;

(o) For leadership premiums as provided in section 33-1004J, Idaho Code;

(p) For master teacher premiums as provided in section 33-1004I, Idaho Code;

(q) For the support of provisions that provide a safe environment conducive to student learning and maintain classroom

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discipline, an allocation of three hundred dollars (\$300) per support unit;

(r) An amount specified in the appropriation bill for the public schools educational support program for counseling support as provided for in section 33-1212A, Idaho Code, shall be distributed for grades 8 through 12 as follows:

(i) For ~~school districts and public charter schools~~ local education agencies with one hundred (100) or more students enrolled in grades 8 through 12, a pro rata distribution based on students enrolled in grades 8 through 12 or eighteen thousand dollars (\$18,000), whichever is greater;

(ii) For ~~school districts and public charter schools~~ local education agencies with fewer than one hundred (100) students enrolled in grades 8 through 12, one hundred eighty dollars (\$180) per student enrolled in grades 8 through 12 or nine thousand dollars (\$9,000), whichever is greater;

(s) An amount specified in the public schools educational support program appropriation bill for literacy intervention pursuant to section 33-1616, Idaho Code, the disbursements made to the ~~school districts and public charter schools~~ local education agencies in the aggregate shall not exceed the total amount appropriated for this purpose and shall be based on the actual costs of such intervention programs. ~~School districts and public charter schools~~ Local education agencies shall be reimbursed in full or in pro rata based on the average number of students in kindergarten through grade 3 who score basic or below basic on the fall statewide reading assessment in the prior three (3) years;

(t) For mastery-based education as provided for in section 33-1630, Idaho Code;

(u) For pay for success contracting as provided in section 33-125B, Idaho Code; and

(v) Any additional amounts as required by statute to effect administrative adjustments or as specifically required by the provisions of any bill of appropriation;

to secure the total educational support distribution funds.

(3) Average ~~Daily Attendance~~ Full-time Equivalent Enrollment. The total state average ~~daily attendance~~ full-time equivalent enrollment shall be the sum of the average ~~daily attendance~~ full-time equivalent enrollment of all of the ~~school districts~~ local education agencies of the state. The state board of education shall establish rules setting forth the procedure to determine average ~~daily attendance~~ full-time equivalent enrollment and the time for, and method of, submission of such report. Average ~~daily attendance~~ full-time equivalent enrollment calculation shall be carried out to the nearest hundredth. Computation of average ~~daily attendance~~ full-time equivalent enrollment shall also be governed by the provisions of section 33-1003A, Idaho Code.

(4) Support Units. The total state support units shall be determined by using the tables set out hereafter called computation of kindergarten support units, computation of elementary support

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units, computation of secondary support units, computation of exceptional education support units, and computation of alternative school support units. The sum of all of the total support units of all ~~school districts~~ local education agencies of the state shall be the total state support units.

COMPUTATION OF KINDERGARTEN SUPPORT UNITS

Average Daily

Attendance <u>Enrollment</u>	Attendance <u>Enrollment</u>	Divisor	Units Allowed
41 or more...		40.....	1 or more as computed
31 - 40.99 ADAFTE ...		-.....	1
26 - 30.99 ADAFTE ...		-.....	.85
21 - 25.99 ADAFTE ...		-.....	.75
16 - 20.99 ADAFTE ...		-.....	.6
8 - 15.99 ADAFTE ...		-.....	.5
1 - 7.99 ADAFTE ...		-.....	count as elementary

COMPUTATION OF ELEMENTARY SUPPORT UNITS

Average Daily	Attendance <u>Enrollment</u>	Attendance <u>Enrollment</u>	Divisor	Minimum Units Allowed
300 or more	ADAFTE 15
		..23...grades 4,5 & 6...		
		..22...grades 1,2 & 3...1994-95		
		..21...grades 1,2 & 3...1995-96		
		..20...grades 1,2 & 3... 1996-97		
		and each year thereafter.		

20

160 to 299.99 ADAFTE	8.4
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110 to 159.99	ADAFTE...	19	6.8
71.1 to 109.99	ADAFTE...	16	4.7
51.7 to 71.0	ADAFTE...	15	4.0
33.6 to 51.6	ADAFTE...	13	2.8
16.6 to 33.5	ADAFTE...	12	1.4
1.0 to 16.5	ADAFTE...	n/a	1.0

COMPUTATION OF SECONDARY SUPPORT UNITS

Average Daily Full- time Equivalent	Minimum Units	
Attendance Enrollment	Attendance Enrollment	
Divisor	Allow	
750 or more....	18.5	47
400 - 749.99 ADAFTE....	16	28
300 - 399.99 ADAFTE....	14.5	22
200 - 299.99 ADAFTE....	13.5	17
100 - 199.99 ADAFTE....	12	9
99.99 or fewer	Units allowed as follows:	

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Grades 7-12	8
Grades 9-12	6
Grades 7- 9	1 per 1 ADA FTE
Grades 7- 8	1 per 1 ADA FTE

COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Full-time Equivalent		Minimum Units
Attendance <u>EnrollmentAttendance<u>Enrollment</u> Divisor</u>		Allowed
14 or more...	14.5	1 or more as compute
12 - 13.99...	-	1
8 - 11.99...	-75
4 - 7.99...	-5
1 - 3.99...	-25

COMPUTATION OF ALTERNATIVE SCHOOL SUPPORT UNITS

(Computation of alternative school support units shall include grades 6 through 12)

Pupils in Attendance <u>Average</u> <u>Full-time</u> <u>Equivalent</u> <u>Enrollment</u>	Attendance <u>Enrollment</u> Divisor	Minimum Units
		Allowed

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	12	1 or
12 or more.....	more as

Computed

In applying these tables to any given separate attendance unit, no school district shall receive less total money than it would receive if it had a lesser average ~~daily attendance~~ full-time equivalent enrollment in such separate attendance unit. In applying the kindergarten table to a kindergarten program of fewer days than a full school year, the support unit allowance shall be in ratio to the number of days of a full school year. The attendance or enrollment of students attending an alternative school in a school district reporting fewer than one hundred (100) secondary students in average ~~daily attendance~~ full-time equivalent enrollment shall not be assigned to the alternative table if the student is from a school district reporting fewer than one hundred (100) secondary students in average ~~daily attendance~~ full-time equivalent enrollment, but shall instead be assigned to the secondary table of the school district in which they are attending the alternative school, unless the alternative school in question serves students from multiple districts reporting fewer than one hundred (100) secondary students in average ~~daily attendance~~ full-time equivalent enrollment. The tables for exceptional education and alternative school support units shall be applicable only for programs approved by the state department of education following rules established by the state board of education. Moneys generated from computation of support units for alternative schools shall be utilized for alternative school programs. School district administrative and facility costs may be included as part of the alternative school expenditures.

(5) State Distribution Factor per Support Unit. Divide educational support program distribution funds, after subtracting the amounts necessary to pay the obligations specified in subsection (2) of this section, by the total state support units to secure the state distribution factor per support unit.

(6) District Support Units. The number of support units for each school district in the state shall be determined as follows:

- (a) (i) Divide the actual average ~~daily attendance~~ full-time equivalent enrollment, excluding students approved for inclusion in the exceptional child educational program, for the administrative schools and each of the separate schools and attendance units by the appropriate divisor from the tables of support units in this section, then add the quotients to obtain the district's support units allowance for regular students, kindergarten through grade 12 including alternative school students. Calculations in application of this subsection shall be carried out to the nearest hundredth.

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(ii) Divide the combined totals of the average ~~daily attendance~~ full-time equivalent enrollment of all preschool, kindergarten, elementary, secondary, juvenile detention center students and students with disabilities approved for inclusion in the exceptional child program of the district by the appropriate divisor from the table for computation of exceptional education support units to obtain the number of support units allowed for the district's approved exceptional child program. Calculations for this subsection shall be carried out to the nearest hundredth when more than one (1) unit is allowed.

(iii) The total number of support units of the district shall be the sum of the total support units for regular students, subparagraph (i) of this paragraph, and the support units allowance for the approved exceptional child program, subparagraph (ii) of this paragraph.

(b) Total District Allowance Educational Program. Multiply the district's total number of support units, carried out to the nearest hundredth, by the state distribution factor per support unit and to this product add the approved amount of programs of the district provided in subsection (2) of this section to secure the district's total allowance for the educational support program.

(c) District Share. The district's share of state apportionment is the amount of the total district allowance, paragraph (b) of this subsection.

(d) Adjustment of District Share. The contract salary of every noncertificated teacher shall be subtracted from the district's share as calculated from the provisions of paragraph (c) of this subsection.

(7) Property Tax Computation Ratio. In order to receive state funds pursuant to this section, a charter district shall utilize a school maintenance and operation property tax computation ratio for the purpose of calculating its maintenance and operation levy that is no greater than that which it utilized in tax year 1994, less four-tenths of one percent (.4%). As used herein, the term "property tax computation ratio" shall mean a ratio determined by dividing the district's certified property tax maintenance and operation budget by the actual or adjusted market value for assessment purposes as such values existed on December 31, 1993. Such maintenance and operation levy shall be based on the property tax computation ratio multiplied by the actual or adjusted market value for assessment purposes as such values existed on December 31 of the prior calendar year.

SECTION 2: That Section 33-1002B, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002B. PUPIL TUITION-EQUIVALENCY ALLOWANCES. ~~1-(1)~~ Districts which educate pupils placed by Idaho court order in licensed homes, agencies, institutions or juvenile detention facilities shall be eligible for an allowance equivalent to forty-two percent (42%) of the

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previous year's gross per pupil cost calculated on a daily basis. This district allowance shall be in addition to support unit funding and included in district apportionment payments, subject to approval of district applications by the state ~~superintendent of public instruction~~department of education.

~~2.~~(2) Districts which educate pupils placed by Idaho court order in a juvenile detention facility with a summer school program shall be eligible for an allowance equivalent to one-half (1/2) of forty-two percent (42%) of the previous year's gross per pupil cost calculated on a daily basis. This district allowance shall be in addition to support unit funding and included in district apportionment payments, subject to approval of district applications by the state ~~superintendent of public instruction~~department of education.

~~3.~~(3) Districts which educate school age special education students who, due to the nature and severity of their disabilities, are residing in licensed public or private residential facilities or homes, and whose parents are not patrons of the district, shall be eligible for an allowance equivalent to forty-two percent (42%) of the previous year's gross per pupil cost per child plus the excess cost rate that is annually determined by the state ~~superintendent of public instruction~~department of education. This district allowance shall be in addition to exceptional education support unit funding and included in district apportionment payments, subject to approval of district applications by the state ~~superintendent of public instruction~~department of education.

~~4.~~(4) For school age special education students from outside the state of Idaho who, due to the nature and severity of their disabilities, are residing in licensed public or private residential facilities within the state of Idaho, the local school district shall provide education services to such students if requested by the licensed public or private residential facility, provided that the local school district has been given the opportunity to provide input on any federally required education plans for any such students. A local school district providing education services for such students shall sign a contract with any such licensed public or private residential facilities, which contract shall delineate the education services to be provided by the local school district and the amount to be paid by the licensed public or private residential facility. The amount paid shall be equal to the local school district's full cost of providing the education services delineated by the contract, as determined by the local school district. Such students shall be excluded from all average ~~daily attendance~~full-time equivalent enrollment and other reports provided to the state that would result in the distribution of state funding to the local school district.

~~5.~~(5) For school age nonspecial education students from outside the state of Idaho who are residing in licensed public or private residential facilities within the state of Idaho, the local school district may provide education services to such students if requested by the licensed public or private residential facility. A local school district providing education services for such students shall sign a contract with any such licensed public or private residential

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facilities, which contract shall delineate the education services to be provided by the local school district and the amount to be paid by the licensed public or private residential facility. The amount paid shall be equal to the local school district's full cost of providing the education services delineated by the contract, as determined by the local school district. Such students shall be excluded from all average ~~daily attendance~~full-time equivalent enrollment and other reports provided to the state that would result in the distribution of state funding to the local school district.

SECTION 3: That Section 33-1002C, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002C. ALTERNATIVE SUMMER AND ALTERNATIVE NIGHT SCHOOL PROGRAM SUPPORT UNITS - ALTERNATIVE SCHOOL - JUVENILE DETENTION FACILITY. (1) Alternative summer or alternative night school programs of not less than two hundred twenty-five (225) hours of instruction, which shall be included in the educational support units calculated as provided in section 33-1002, Idaho Code, may be established as approved by the state board of education. The average ~~daily attendance~~full-time equivalent enrollment divided by forty (40) shall determine the number of allowable support units which shall be included in the alternative school support units calculated for the ~~school district~~local education agency for the succeeding school term.

(2) For any alternative school designated pursuant to section 46-805, Idaho Code, full-term average ~~daily attendance~~full-time equivalent enrollment shall be used to calculate support units for each cohort of students that meets the minimum instructional hours requirement provided for in section 33-512, Idaho Code. The support units so calculated shall be used for all state funding formulas in which support units are used.

(3) Districts that educate pupils placed by court order in a juvenile detention facility may establish a summer or night school program that shall be included in the educational support units calculated as provided in section 33-1002, Idaho Code. The average ~~daily attendance~~full-time equivalent enrollment divided by forty (40) shall determine the number of allowable support units that shall be included in the exceptional education school support units calculated for the school district for the succeeding school term.

(4) Average ~~daily attendance~~full-time equivalent enrollment and the support units generated by this section shall not be included in or subject to the provisions of section 33-1003, Idaho Code, and shall be included as an addition to any other support units generated pursuant to Idaho Code.

SECTION 4: That Section 33-1003, Idaho Code, be, and the same is hereby amended to read as follows:

33-1003. SPECIAL APPLICATION OF EDUCATIONAL SUPPORT PROGRAM. (1) Decrease in Average ~~Daily Attendance~~Full-time Equivalent Enrollment. - For any school district that has a decrease in total

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average ~~daily attendance~~ full-time equivalent enrollment of three percent (3%) or more of its average ~~daily attendance~~ full-time equivalent enrollment in the current school year from the total average ~~daily attendance~~ full-time equivalent enrollment used for determining the allowance in the educational support program for the prior school year, the allowance of funds from the educational support program may be based on the average ~~daily attendance~~ full-time equivalent enrollment of the prior school year, less three percent (3%). When this provision is applied, the decrease in average ~~daily attendance~~ full-time equivalent enrollment shall be proportionately distributed among the various categories of support units that are appropriate for the district. After applying the provisions of this subsection, the state department of education shall calculate the percentage of additional statewide support units to total statewide support units and shall then reduce each school district's support units by this uniform percentage. The provisions of this subsection shall not apply to public charter schools.

(2) Application of Support Program to Separate Schools/Attendance Units in District.

(a) Separate Elementary School. – Any separate elementary school shall be allowed to participate in the educational support program as though the school were the only elementary school operated by the district.

(b) Hardship Elementary School. – Upon application of the board of trustees of a school district, the state board of education is empowered to determine that a given elementary school or elementary schools within the school district, not otherwise qualifying, are entitled to be counted as a separate elementary school as defined in section 33-1001, Idaho Code, when, in the discretion of the state board of education, special conditions exist warranting the retention of the school as a separate attendance unit and the retention results in a substantial increase in cost per pupil in average ~~daily attendance~~ full-time equivalent enrollment above the average cost per pupil in average ~~daily attendance~~ full-time equivalent enrollment of the remainder of the district's elementary grade school pupils. An elementary school operating as a previously approved hardship elementary school shall continue to be considered as a separate attendance unit, unless the hardship status of the elementary school is rescinded by the state board of education.

(c) Separate Secondary School. – Any separate secondary school shall be allowed to participate in the educational support program as though the school were the only secondary school operated by the district.

(d) Elementary/Secondary School Attendance Units. – Elementary grades in an elementary/secondary school will be funded as a separate attendance unit if all elementary grades served are located more than ten (10) miles distance by an all-weather road from both the nearest like elementary grades within the same school district and from the location of the office of the superintendent of schools of such district, or from the office

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of the chief administrative officer of such district if the district employs no superintendent of schools. Secondary grades in an elementary/secondary school will be funded as a separate attendance unit if all secondary grades served are located more than fifteen (15) miles by an all-weather road from the nearest like secondary grades operated by the district.

(e) Hardship Secondary School. – Any district that operated two (2) secondary schools separated by less than fifteen (15) miles, but which district was created through consolidation subsequent to legislative action pursuant to chapter 111, laws of 1947, and which school buildings were constructed prior to 1935, shall be entitled to count the schools as separate attendance units.

(f) Minimum Pupils Required. – Any elementary school having less than ten (10) pupils in average ~~daily attendance~~ full-time equivalent enrollment shall not be allowed to participate in the state or county support program unless the school has been approved for operation by the state board of education.

(3) Remote Schools. – The board of trustees of any Idaho school district that operates and maintains a school that is remote and isolated from the other schools of the state because of geographical or topographical conditions may petition the state board of education to recognize and approve the school as a remote and necessary school. The petition shall be in form and content approved by the state board of education and shall provide such information as the state board of education may require. Petitions for the recognition of a school as a remote and necessary school shall be filed annually at least ninety (90) days prior to the date of the regular June meeting of the board of trustees.

Within forty-five (45) days after the receipt of a petition for the recognition of a remote and necessary school, the state board of education shall either approve or disapprove the petition and notify the board of trustees of its decision. Schools that the state board of education approves as being necessary and remote shall be allowed adequate funding within the support program for an acceptable educational program for the students of the school. In the case of a remote and necessary secondary school, grades 7-12, the educational program shall be deemed acceptable when, in the opinion of the state board of education, the accreditation standard relating to staff size, established in accordance with the provisions of section 33-119, Idaho Code, has been met. The final determination of an acceptable program and adequate funding in the case of a remote and necessary elementary school shall be made by the state board of education.

(4) Support Program When District Boundaries are Changed.

(a) In new districts formed by the division of a district, the support program computed for the district, divided in its last year of operation, shall be apportioned to the new districts created by the division in the proportion that the average ~~daily attendance~~ full-time equivalent enrollment of pupils, elementary and secondary combined, residing in the area of each new district so created, is to the average ~~daily attendance~~ full-time equivalent enrollment of all pupils, elementary and secondary

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combined, in the district divided in its last year of operation before the division.

(b) When boundaries of districts are changed by excision or annexation of territory, the support program of any district from which territory is excised for the last year of operation before such excision shall be divided, and apportioned among the districts involved, as prescribed in paragraph (a) of this subsection.

(c) In new districts formed by consolidation of former districts after January 1, 2007, the support program allowance, for a seven (7) year period following the formation of the new district, shall not be less than the combined support program allowances of the component districts in the last year of operation before consolidation. After the expiration of this period, the state department of education shall annually calculate the number of support units that would have been generated had the previous school districts not consolidated. All applicable state funding to the consolidated district shall then be provided based on a support unit number that is halfway between this figure and the actual support units, provided that it cannot be less than the actual support units.

SECTION 5: That Section 33-1003A, Idaho Code, be, and the same is hereby amended to read as follows:

33-1003A. CALCULATION OF AVERAGE ~~DAILY ATTENDANCE~~FULL-TIME EQUIVALENT ENROLLMENT. In computing the average ~~daily attendance~~full-time equivalent enrollment the entire school year shall be used except that the ~~twenty-eight (28) weeks~~three (3) reporting periods having the highest average ~~daily attendance~~full-time equivalent enrollment, not necessarily consecutive, may be used. When a school is closed, or if a school remains open but attendance is significantly reduced because of storm, flood, failure of the heating plant, loss or damage to the school building, quarantine or order of any city, county or state health agency, or for reason believed by the board of trustees to be in the best interests of the health, safety or welfare of the pupils, the board of trustees having certified to the state department of education the cause and duration of such closure or impacted attendance, the average ~~daily attendance~~full-time equivalent enrollment for such ~~day or days of closure or impacted attendance~~reporting periods shall be considered as being the same as for the days when the school actually was in session or when attendance was not impacted. A decision by the state department to disallow such a consideration shall be subject to appeal to the state board of education.

For illness or accident that necessitates an absence from school for more than ten (10) consecutive school days, the ~~school district~~local education agency may include homebound students in its total attendance, provided that academic instruction has been given by appropriate certified professional staff employed by the ~~district~~local education agency.

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SECTION 6: That Section 33-1003C, Idaho Code, be, and the same is hereby amended to read as follows:

33-1003C. SPECIAL APPLICATION - TECHNOLOGICAL INSTRUCTION - BLENDING LEARNING. In order to acquire and maintain technology for individualized computer, ~~and/or~~ distance learning, or blended learning programs, a ~~school-district~~local education agency may use students' documented contact hours on individualized computer education or distance learning programs in determining the ~~district~~local education agency's average ~~daily-attendance~~full-time equivalent enrollment, whether the student is actually in the computer lab or distance learning center, or has logged on to the computer from another location. On-line or distance education courses instructional time shall be based on the identified in-person instructional time when a local education agency offers a course in-person and online or through a distance learning format. A ~~district~~local education agency's technology instruction or blended learning programs shall be subject to the following provisions:

(1) The certification requirements for an alternative school using the individualized computer education or distance learning program may be met by having a properly certificated teacher available on a consultant tutorial basis. The consultant tutors will be available by telephone, fax, e-mail, or in person at the school site on a daily basis.

(2) ~~Districts~~Local education agencies claiming average ~~daily attendance~~full-time equivalent enrollment pursuant to this section shall submit annual evaluations of the program to the state board of education.

(3) ~~Districts~~Local education agencies may offer individualized computer education, ~~or~~ distance learning programs, or blended learning programs on a calendar which may differ from the rest of the ~~district~~local education agency's instruction, but in no case may a ~~district~~local education agency claim more average ~~daily attendance~~full-time equivalent enrollment for a student than the full-time equivalency of a regular term of attendance for a single student.

(4) Nonalternative ~~high~~-school students may participate in a local education agencies online or blended learning program or may receive individualized computer education or distance learning instruction and credit through an alternative school ~~site~~program.

SECTION 7: That Section 33-1006, Idaho Code, be, and the same is hereby amended to read as follows:

33-1006. TRANSPORTATION SUPPORT PROGRAM. (1) The state board of education shall determine what costs of transporting pupils, including maintenance, operation and depreciation of basic vehicles, insurance, payments under contract with other public transportation providers whose vehicles used to transport pupils comply with federal transit administration regulations, "bus testing," 49 CFR part 665, and any revision thereto, as provided in subsection (4)(d) of this section,

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or other state department of education-approved private transportation providers, salaries of drivers, and any other costs, shall be allowable in computing the transportation support program of school districts.

(2) Any costs associated with the addition of vehicle features that are not part of the basic vehicle shall not be allowable in computing the transportation support program of school districts. A basic vehicle is hereby defined as the cost of the vehicle without optional features, plus the addition of essential safety features and features necessary for the transportation of pupils with disabilities.

(3) Each school district shall maintain records and make reports as are required for the purposes of this section.

(4) The transportation support program of a school district shall be based upon the allowable costs of:

(a) Transporting public school pupils one and one-half (1 1/2) miles or more to school;

(b) Transporting pupils less than one and one-half (1 1/2) miles as provided in section [33-1501](#), Idaho Code, when approved by the state board of education;

(c) Payments when transportation is not furnished, as provided in section [33-1503](#), Idaho Code;

(d) The transportation program for grades 6-12, upon the costs of payments pursuant to a contract with other public or private transportation providers entered into as provided in section [33-1510](#), Idaho Code, if the school district establishes that the reimbursable costs of transportation under the contract are equal to or less than the costs for school buses;

(e) The employer's share of contributions to the public employee retirement system and to social security; and

(f) Providing transportation to and from approved school activities as may be approved by the rules of the state board of education.

(5) The state's share of the transportation support program shall be fifty percent (50%) of reimbursable transportation costs of the district incurred during the immediately preceding state fiscal year, except for the cost of state department of education training and fee assessments and bus depreciation and maintenance, for which the state's share shall be eighty-five percent (85%) of such costs. For school districts that contract for pupil transportation services, the state's share shall be the average state share of costs for district-run operations, based on the statewide total of such costs. Provided however, that the reimbursable costs for any school district shall not exceed one hundred three percent (103%) of the statewide average reimbursable cost per mile or the state average reimbursable cost per student rider, whichever is more advantageous to the school district. If a school district's costs exceed the one hundred three percent (103%) limit when computed by the more advantageous of the two (2) methods, that school district shall be reimbursed at the appropriate percentage designated by this subsection, multiplied by the maximum limit for whichever method is more favorable to the school district. A school district may appeal the application of the one hundred three percent (103%) limit on reimbursable costs to the state

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board of education, which may establish for that district a new percentile limit for reimbursable costs compared to the statewide average, which is higher than one hundred three percent (103%). In doing so, the state board of education may set a new limit that is greater than one hundred three percent (103%), but is less than the percentile limit requested by the school district. However, the percentage increase in the one hundred three percent (103%) cap shall not exceed the percentage of the district's bus runs that qualify as a hardship bus run, pursuant to this subsection. Any costs above the new level established by the state board of education shall not be reimbursed. Such a change shall only be granted by the state board of education for hardship bus runs. To qualify as a hardship bus run, such bus run shall meet at least two (2) of the following criteria:

(a) The number of student riders per mile is less than fifty percent (50%) of the statewide average number of student riders per mile;

(b) Less than a majority of the miles on the bus run are by paved surface, concrete or asphalt road;

(c) Over ten percent (10%) of the miles driven on the bus run are a five percent (5%) slope or greater.

(6) Beginning on July 1, 2005, any eligible home-based public virtual school may claim transportation reimbursement for the prior fiscal year's cost of providing educational services to students. In order to be eligible, such a school shall have at least one (1) average ~~daily attendance~~ full-time equivalent enrollment divisor, pursuant to section 33-1002, Idaho Code, that is greater than the median divisor shown for any category of pupils, among the actual divisors listed. For the purposes of paragraphs (a), (b) and (c) of this subsection (6), "education provider" means the home-based public virtual school or an entity that has legally contracted with the home-based public virtual school to supply education services. Reimbursable costs shall be limited to the costs of:

(a) Providing an internet connection service between the student and the education provider, not including the cost of telephone service;

(b) Providing electronic and computer equipment used by the student to transmit educational material between the student and the education provider;

(c) Providing a toll-free telephone service for students to communicate with the education provider;

(d) Providing education-related, face-to-face visits by representatives of the home-based public virtual school, with such reimbursements limited to the mileage costs set for state employee travel by the state board of examiners; and

(e) Any actual pupil transportation costs that would be reimbursable if claimed by a school district.

The total reimbursement for such home-based public virtual schools shall be exempt from the statewide average cost per mile limitations of this section. The state's share of reimbursable costs shall be eighty-five percent (85%), subject to the statewide cost per student rider provisions of this section. For

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the purposes of such home-based public virtual school, the number of student riders shall be the same as the number of pupils in average ~~daily attendance~~full-time equivalent enrollment.

(7) The state department of education shall calculate the amount of state funds lost in fiscal year 2010 by each school district as a result of the decrease in the state reimbursement from eighty-five percent (85%) to fifty percent (50%) of certain eligible costs, including the reduction calculated for districts that contract for pupil transportation services, and excluding any reductions made due to the limitation on reimbursable expenses, all pursuant to subsection (5) of this section. The amount so calculated shall be distributed to each school district in fiscal year 2010. For each fiscal year thereafter, the amount distributed pursuant to this subsection (7) for each school district shall be determined as follows:

(a) Divide the amount distributed to the district pursuant to this subsection (7) in fiscal year 2010 by the district's support units for fiscal year 2010;

(b) Multiply the result of the calculation found in subsection (7)(a) of this section by the number of support units in the current fiscal year;

(c) Determine the percentage change in statewide transportation reimbursements as provided for in subsection (5) of this section since fiscal year 2010;

(d) Determine the percentage change in statewide student enrollment since fiscal year 2010;

(e) Subtract the result of the calculation found in subsection (7)(d) of this section from the result of the calculation found in subsection (7)(c) of this section;

(f) Adjust the result of the calculation found in subsection (7)(b) of this section by the percentage result from subsection (7)(e) of this section.

For school districts divided after fiscal year 2010, the calculation in subsection (7)(a) of this section shall still be based on the fiscal year 2010 figures for the formerly consolidated district. For public charter schools beginning operations on or after July 1, 2009, all calculations in this subsection (7) that are based on fiscal year 2010 shall instead be based on the public charter school's first fiscal year of operations. For the purposes of this subsection (7), the support units used shall be the number used for calculating salary-based apportionment. Funds distributed pursuant to this subsection (7) shall be used to defray the cost of pupil transportation. If the amount distributed is in excess of a school district's actual pupil transportation costs, less any state reimbursements provided by subsection (5) of this section, the excess funds may be used at the school district's discretion.

(8) The total moneys paid to school districts and public charter schools for eligible transportation costs shall be reduced by a proportionate amount to equal seven million five hundred thousand dollars (\$7,500,000) and shall be used as discretionary spending.

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SECTION 8: That Section 33-1009, Idaho Code, be, and the same is hereby amended to read as follows:

33-1009. PAYMENTS FROM THE PUBLIC SCHOOL INCOME FUND.

~~1.~~(1) ~~a.~~(a) Payments of the state general account appropriation for public school support shall be made each year by the state department of education to the public school districts of the state in four (4) payments. Payments to the districts shall be made not later than the fifteenth day of August, the fifteenth day of November, the fifteenth day of February, and the fifteenth day of May each year. The first payment by the state department of education shall be approximately fifty percent (50%) of the total general account appropriation for the fiscal year, while the second and third payments shall be approximately twenty percent (20%) each, and the fourth payment approximately ten percent (10%) respectively, except as provided for in section 33-5209C, Idaho Code. Amounts apportioned due to a special transfer to the public school income fund to restore or reduce a deficiency in the prior year's transfer pursuant to subsection 4. of this section shall not be subject to this limitation.

~~b.~~(b) Payments of moneys, other than the state general account appropriation, that accrue to the public school income fund shall be made by the state department of education to the school districts of the state on the fifteenth day of November, February, May and July each year. The total amount of such payments shall be determined by the state department of education and shall not exceed the amount of moneys available and on deposit in the public school income fund at the time such payment is made.

~~c.~~(c) Amounts apportioned due to a special transfer to the public school income fund to restore or reduce a deficiency in the prior year's transfer pursuant to subsection 4. of this section shall not be subject to the limitation imposed by paragraphs a. and b. of this subsection.

~~2.~~(2) Payments made to the school districts in August and November are advance payments for the current year and may be based upon payments from the public school income fund for the preceding school year. Each school district may receive its proportionate share of the advance payments in the same ratio that its total payment for the preceding year was to the total payments to all school districts for the preceding year.

~~3.~~(3) No later than the fifteenth day of February in each year, the state department of education shall compute the state distribution factor based on the total average ~~daily attendance~~full-time equivalent enrollment through the first Friday in November. The factor will be used in payments of state funds in February and May. Attendance shall be reported in a format and at a time specified by the state ~~department board of education~~ or its delegate.

As of the thirtieth day of June of each year the state department of education shall determine final payments to be made on July fifteenth next succeeding to the several school districts from the public school income fund for the school year ended June 30. The July payments shall take into consideration:

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~~a.~~(a) The average ~~daily—attendance~~full-time equivalent enrollment of the several school districts for the twenty-eight (28) best weeks of the school year completed not later than the thirtieth of June;

~~b.~~(b) All funds available in the public school income fund for the fiscal year ending on the thirtieth of June;

~~e.~~(c) All payments distributed for the current fiscal year to the several school districts;

~~d.~~(d) The adjustment based on the actual amount of discretionary funds per support unit required by the provisions of section 33-1018, Idaho Code;

~~e.~~(e) Payments made or due for the transportation support program and the exceptional education support program. The state department of education shall apportion and direct the payment to the several school districts the moneys in the public school income fund in each year, taking into account the advance made under subsection 2. of this section, in such amounts as will provide in full for each district its support program, and not more than therefor required, and no school district shall receive less than fifty dollars (\$50.00).

~~4.~~(4) If the full amount appropriated to the public school income fund from the general account by the legislature is not transferred to the public school income fund by the end of the fiscal year, the deficiency resulting therefrom shall either be restored or reduced through a special transfer from the general account in the first sixty (60) days of the following fiscal year, or shall be calculated in computing district levies, and any additional levy shall be certified by the state superintendent of public instruction to the board of county commissioners and added to the district's maintenance and operation levy. If the deficiency is restored or reduced by special transfer, the amount so transferred shall be in addition to the amount appropriated to be transferred in such following fiscal year and shall be apportioned to each school district in the same amount as each would have received had the transfer been made in the year the deficiency occurred. The state department of education shall distribute to the school district the full amount of the special transfer as soon as practical after such transfer is made. In making the levy computations required by this subsection the state department of education shall take into account and consider the full amount of money receipted into the public school income fund from all sources for the given fiscal year. Deficits in the transfer of the appropriated amount of general account revenue to the public school income fund shall be reduced by the amount, if any, that the total amount receipted from other sources into the public school income fund exceeds the official estimated amount from those sources. The official estimate of receipts from other sources shall be the total amount stated by the legislature in the appropriation bill. The provisions of this subsection shall not apply to any transfers to or from the public education stabilization fund.

~~5.~~(5) Any apportionments in any year, made to any school district, which may within the succeeding ~~three-(3)-~~fiscal year ~~period~~

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be found to have been in error either of computation or transmittal, may be corrected during the ~~three (3)~~ fiscal year period by reduction of apportionments to any school district to which over-apportionments may have been made or received, and corresponding additions to apportionments to any school district to which under-apportionments may have been made or received.

SECTION 9: That Section 33-1027, Idaho Code, be, and the same is hereby amended to read as follows:

33-1027. STUDENT ENROLLMENT COUNTS AND RULEMAKING. The state board of education shall promulgate rules that set forth the procedures for determining student enrollment counts by school, school district, and statewide, and the process for reporting such counts. Such rules shall be consistent with the following:

(1) Full-time enrollment (FTE) shall be based on enrollment in any school district or public charter school;

(2) A student shall not exceed a total of one (1.0) unweighted FTE in a single school year, except as provided in subsection (4) of this section;

~~(3) A kindergarten student shall not exceed a total of one half (0.5) unweighted enrollment in a single school year;~~

(43) A student attending a summer school or night school program shall not exceed a total of one-fourth (0.25) unweighted enrollment. Such student may be counted pursuant to both this subsection and subsection (2) of this section;

(54) A fractional enrollment count schedule shall be specified for any student enrolled less than one (1.0) FTE in a given school district or public charter school;

(65) FTE is based on the courses a student is enrolled in at the time of the official count, as specified in board rule, except that a student may be counted as enrolled if the term for which such student is enrolled begins after the time of the official count;

(76) Each school district or public charter school shall conduct an official count of enrolled students in the district or school on the first day of October, the first day of December, the first day of February, and the first day of April, or the previous school day if those dates do not fall on a school day; and

(87) A school district or public charter school may not count as enrolled any student who has unexcused absences totaling eleven (11) or more consecutive school days immediately prior to and including the official count date.

SECTION 10: An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

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Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-1201, Idaho Code, be, and the same is hereby amended to read as follows:

33-1201. CERTIFICATE REQUIRED. Every person who is employed to serve in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse or school librarian shall be required to have and to hold a certificate issued under authority of the state board of education, valid for the service being rendered; except that the state board of education may authorize endorsement for use in Idaho, for not more than five (5) years, certificates valid in other states when the qualifications therefor are not lower than those required for an Idaho certificate.

No certificate shall be required of a student attending any teacher-training institution, who shall serve as a practice teacher or apprentice in an state board of education approved registered apprenticeship program in a classroom under the supervision of a certificated teacher, and who is jointly assigned by such teacher-training institution and the governing board of a district or a public institution to perform practice teaching ~~in a non-salaried status. Those students attending a teacher training institution of another state and who serve as a non-salaried practice teacher in an Idaho school district shall be registered by that school district.~~

A student, while serving in a practicum, apprenticeship, internship or student teaching position under the supervision of a person certificated pursuant to this section, shall be accorded the same liability insurance coverage by the school district being served as that accorded such certificated person in the same district, and shall comply with all rules and regulations of the school district or public institution while serving in such a capacity.

SECTION 2: That Section 33-1203, Idaho Code, be, and the same is hereby amended to read as follows:

33-1203. ACCREDITED TEACHER TRAINING REQUIREMENTS. Except in the limited fields of trades and industries, and specialists certificates of school librarians and school nurses, the state board shall not authorize the issuance of any standard certificate premised upon less than four (4) years of accredited college training, including such professional training as the state board may require or the completion of a state board of education approved registered apprenticeship program; but in emergencies, which must be declared, the state board may authorize the issuance of provisional certificates based on not less than two (2) years of college training.

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Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-1002G, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002G. CAREER TECHNICAL SCHOOL FUNDING AND ELIGIBILITY. (1) School districts, public charter schools, and eligible cooperative service agencies may establish career technical schools or programs that qualify for funding appropriated for the specific purpose of supporting the added cost of career technical schools. These funds will be appropriated to the state board for career technical education, to be expended by the division of career technical education. In order for a school or program to qualify for funding as a career technical school, it must make application to the division of career technical education on or before the fifteenth of April for the following fiscal year. This includes applicants for new schools or programs and renewal applications. Approved public charter schools with career technical education programs will receive the same added cost unit as any other eligible school on an actual approved cost basis not to exceed the per-student cost for a traditional instructional delivery method. All career technical schools must meet all three (3) of the following criteria:

(a) The school serves students from two (2) or more high schools. No one (1) high school can comprise more than eighty-five percent (85%) of the total enrolled career technical school students, except a new school or program in the first or second year of operation. During the first year of operation a new school or program may comprise more than ninety-five (95%) percent of the total enrolled career technical school students and no more than ninety percent (90%) of the total enrolled career technical school students during the second year of operations. In the event a student enrolled in the career technical school is not enrolled in a public high school, the eighty-five percent (85%) will be calculated based on the public high school attendance area where the student resides. This provision does not exclude a public charter school with a statewide boundary from applying for appropriate added cost funds authorized for career technical education, irrespective of the instructional delivery method. In the event an existing career technical school or program that has been in operations for more than three years should have the enrollment of career technical school students increase to more than eighty-five percent (85%) in a single year the division of career technical education may chose, with an approved enrollment plan, to use the school or programs three (3) year rolling average enrollment between participating high schools for determining eligibility.

(b) The majority of the school's program offerings lead to some form of postsecondary credit, such as dual credit or other advanced opportunities, as defined by the state board of education, or include apprenticeship opportunities.

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(c) All school programs offer at least one (1) supervised field experience for all students.

(2) All career technical schools must also meet at least one (1) of the following three (3) requirements:

(a) The school is funded separately from schools that qualify for computation using regular secondary support units.

(b) The school has a separate and distinct governing board.

(c) The majority of the school programs are provided at dedicated facilities that are separate from the regular high school facilities.

(3) An eligible cooperative service agency, formed pursuant to section [33-317](#), Idaho Code, must own or maintain a facility separate from any of the member school districts making up the cooperative service agency.

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Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-5215, Idaho Code, be, and the same is hereby amended to read as follows:

33-5215. CAREER TECHNICAL REGIONAL PUBLIC CHARTER SCHOOL. (1) A career technical regional public charter school is hereby declared to be a public charter school and as such, the provisions of [chapter 52, title 33](#), Idaho Code, shall apply to each career technical regional public charter school in the same manner and to the same extent as the provisions of charter school law apply to other public charter schools, with the exception of certain conditions and applications as specifically provided in this section. ~~T-and the provisions of section 33-1002G, Idaho Code, apply to career technical schools.~~

(2) In addition to the approval provisions of this chapter, approval of a career technical regional public charter school by an authorized chartering entity shall not be final until the petition has also been reviewed [and approved](#) by the division of career technical education.

(3) Funding for a career technical regional public charter school shall be the same as provided in section [33-5208](#), Idaho Code, except that:

(a) The salary-based apportionment for a career technical regional public charter school shall be the statewide average for public charter schools. Such salary-based apportionment may be used for payment of contracted services or for direct hire of staff;

(b) The board of directors may contract for the services of certificated and noncertificated personnel, to procure the use of facilities and equipment, and to purchase materials and equipment, which in the judgment of the board of directors is necessary or desirable for the conduct of the business of the career technical regional public charter school; and

(c) Transportation support shall be paid to the career technical regional public charter school in accordance with the provisions of [chapter 15, title 33](#), Idaho Code.

(4) A career technical regional public charter school shall provide assurances in state attendance reports that it has verified attendance reports, which generate ADA with its participating school districts, to make certain that the districts and the charter school do not duplicate enrollment or ADA claims.

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ATTACHMENT 6

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-114A, Idaho Code, be, and the same is hereby amended to read as follows:

33-114A. ADOPTION OF STANDARDS FOR THE INITIAL CERTIFICATION OF PROFESSIONAL SCHOOL PERSONNEL. Effective July 1, 2022, the Idaho standards for initial certification of professional school personnel shall be the standards prepared by the 2020-2021 educator standards working group dated February 24, 2022. Professional school personnel standards shall be set by the state board of education, thereafter.

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Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-1252, Idaho Code, be, and the same is hereby amended to read as follows:

33-1252. PROFESSIONAL STANDARDS COMMISSION - MEMBERS - APPOINTMENT - TERMS. (1) A professional standards commission is hereby created in the department of education, consisting of ~~eighteen~~nineteen (1~~8~~9) members, one (1) of whom shall be a member of the staff of the state department of education, ~~and~~ one (1) of whom shall be a member of the staff of the division of career technical education, and one (1) of whom shall be a member of the staff of the office of the state board of education to be appointed by the state board of education. The remaining members shall be representative of the teaching profession of the state of Idaho, and not less than seven (7) members shall be certificated classroom teachers in the public school system of the state and shall include at least one (1) teacher of exceptional children and at least one (1) teacher in pupil personnel services. Such expansion of membership on the professional standards commission shall not require reaffirmation of the codes and standards of ethics and rules of procedure used by the professional standards commission.

(2) Except for the member from the staff of the state department of education, ~~and~~ the member from the staff of the division of career technical education, and the member from the staff of the office of the state board of education, three (3) nominees for each position on the commission shall be submitted to the state superintendent of public instruction, for the consideration of the state board of education. Any state organization of teachers whose membership is open to all certificated teachers in the state may submit nominees for positions to be held by classroom teachers; the Idaho association of school superintendents may submit nominees for one (1) position, the Idaho association of secondary school principals may submit nominees for one (1) position; the Idaho association of elementary school principals may submit nominees for one (1) position; the Idaho school boards association may submit nominees for one (1) position; the Idaho association of special education administrators may submit nominees for one (1) position; the education departments of the private colleges of the state may submit nominees for one (1) position, the community colleges and the education departments of the public institutions of higher education may submit nominees for two (2) positions, and the colleges of letters and sciences of the institutions of higher education may submit nominees for one (1) position.

(3) The state board of education shall appoint or reappoint members of the commission for terms of three (3) years.

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Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-5904, Idaho Code, be, and the same is hereby amended to read as follows:

33-5904. SCHOOL SAFETY AND SECURITY PROGRAM. (1) There is hereby established in the office of the state board of education the school safety and security program. The executive director of the office of the state board of education may hire a manager of the school safety and security program who shall be responsible for the performance of the regular administrative functions of the program and other duties as the executive director may direct. The manager of the school safety and security program shall be a nonclassified employee. The executive director of the office of the state board of education may employ persons in addition to the manager in other positions or capacities as necessary to fulfill the responsibilities of the school safety and security program as set forth in this section. The executive director of the state board of education shall provide an office, office equipment, and facilities as may be reasonably necessary for the proper performance of the duties of the program manager and other program personnel.

(2) The executive director of the office of the state board of education and the manager and other personnel of the school safety and security program may enter all public educational facilities in this state at reasonable times to conduct annual assessments for consistency with the school safety and security guidelines developed by the Idaho school safety and security advisory board. To the extent possible, such assessments should occur simultaneously with inspections conducted pursuant to section [39-8008](#), Idaho Code. The school safety and security program shall prepare a written report for each security assessment it conducts. At a minimum, such reports shall include any safety or security vulnerabilities found in the subject school and recommendations for remedying such vulnerabilities. The program shall provide a copy of the report to the local education agency or institution and to the school principal or institution president. The program shall also prepare an annual report, a copy of which shall be submitted to the state board of education and to the Idaho school safety and security advisory board each year.

(3) Upon request of any public educational institution, the school safety and security program shall provide training and technical assistance on best practices and resources for school safety and security as set forth in the guidelines established by the Idaho school safety and security advisory board.

(4) The school safety and security program shall a system for the confidential reporting of student safety concerns.

(45) The office of the state board of education may receive grant moneys on behalf of the school safety and security program to carry out the responsibilities of the program.

(5) On July 1 of each year, or as soon as practicable, the state controller shall transfer three hundred thousand dollars (\$300,000)

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from the public school income fund to the school safety and security program's miscellaneous revenue fund 0349-36 for the purposes of this section.

SECTION 2. That Chapter 59, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-5907, Idaho Code, and to read as follows:

33-5907. CONFIDENTIAL TIP LINE. (1) The Idaho school safety and security program within the office of the state board of education shall develop and maintain a system for the confidential reporting of student safety concerns. This system shall be available to all students resident in the state of Idaho.

(2) The confidential reporting system shall include monitored telephone lines and may include other means of electronic communication. The officials confidential reporting system shall convey safety concerns to local school officials and to emergency response agencies for investigation.

(3) Information received through the confidential reporting system shall be exempt from public disclosure pursuant to Section 74-104(1), Idaho Code.

(4) Any individual who knowingly reports false information shall be guilty of a misdemeanor.

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Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-133, Idaho Code, be, and the same is hereby amended to read as follows:

33-133. DEFINITIONS - ~~STUDENT~~-EDUCATION DATA - USE AND LIMITATIONS - PENALTIES. (1) As used in this act, the following terms shall have the following meanings:

(a) "Agency" means each state board, commission, department, office or institution, educational or otherwise, of the state of Idaho. State agency shall also mean any city, county, district or other political subdivision of the state.

(b) "Aggregate data" means data collected and/or reported at the group, cohort or institutional level. Aggregate data shall not include personally identifiable information. The ~~minimum number of students~~-aggregation levels necessary for assuring data privacy shall be determined by the state board of education.

(c) "Board" means the state board of education.

(d) "Data system" means the state's elementary, secondary and postsecondary longitudinal data systems.

(e) "Department" means the state department of education.

(f) "District" or "school district" means an Idaho public school district, including chartered school districts, and shall also include Idaho public charter schools, Idaho digital learning academy, ~~or~~ and the Idaho school for the deaf and blind.

(g) "Parent" means parent, parents, legal guardian or legal guardians.

(h) "Personally identifiable data," "personally identifiable student data" or "personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student's education unique identification number or biometric record; other indirect identifiers, such as the student's date of birth, place of birth and mother's maiden name; and other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty or information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

(i) "Provisional student data" means new student data proposed for inclusion in the data system.

(j) "Student data" means data collected and/or reported at the individual student level included in a student's educational record-

~~(i)~~-"Student data" and includes, but is not limited to: (1) state and national assessment results, including information on untested public school students; ~~(2)~~-course taking and completion,

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credits earned and other transcript information; ~~(3)~~ course grades and grade point average; ~~(4)~~ date of birth, grade level and expected graduation date/graduation cohort; ~~(5)~~ degree, diploma, credential attainment and other school exit information such as general educational development and drop-out data; ~~(6)~~ attendance and mobility; ~~(7)~~ data required to calculate the federal ~~four~~ ~~(4)~~ year adjusted secondary cohort graduation rate, including sufficient exit information; ~~(8)~~ discipline reports limited to objective information sufficient to produce the federal annual incident reports, children with disabilities disciplinary reports and discipline reports including students involved with firearms; ~~(9)~~ remediation; ~~(10)~~ special education data; ~~(11)~~ demographic data and program participation information; and ~~(12)~~ files, documents, images or data containing a student's educational record that are stored in or transmitted through a cloud computing service.

~~(ii) A student's educational record shall not include: (1) juvenile delinquency records and criminal records unless required in paragraph (k) of this subsection; (2) medical and health records; (3) student social security number; (4) student biometric information; (5) gun ownership records; (6) sexual orientation; (7) religious affiliation; (8) except for special needs and exceptional students, any data collected pursuant to a statewide assessment via affective computing, including analysis of facial expressions, EEG brain wave patterns, skin conductance, galvanic skin response, heart rate variability, pulse, blood volume, posture and eye tracking, any data that measures psychological resources, mind sets, effortful control, attributes, dispositions, social skills, attitudes or intrapersonal resources.~~

(k) "Student educational record" means all information directly related to a student and recorded and kept in the data system as that term is defined in this section. Provided however, that the following shall not be kept as part of a student's permanent educational record: ~~daily assignments, homework, reports, chapter tests or similar assessments or other schoolwork that may be considered daily or weekly work. A student educational record may include information considered to be personally identifiable.~~

(i) A student's educational record shall not include: juvenile delinquency records and criminal records unless required in paragraph (j) of this subsection; medical and health records; student social security number; student biometric information; gun ownership records; sexual orientation; religious affiliation; except for special needs and exceptional students, any data collected pursuant to a statewide assessment via affective computing, including analysis of facial expressions, EEG brain wave patterns, skin conductance, galvanic skin response, heart rate variability, pulse, blood volume, posture and eye tracking, any data that measures psychological resources, mind sets, effortful control, attributes, dispositions, social skills, attitudes or intrapersonal resources.

(1) "~~Student~~ education unique identification number" means the unique ~~student~~-identifier assigned by the state to each student or staff member that shall not be or include the student or staff member's social security number ~~of a student in whole or in part~~.

(m) "Violation" means an act contrary to the provisions of this section that materially compromises the security, confidentiality or integrity of personally identifiable data of one (1) or more students or staff and that results in the unauthorized release or disclosure of such data.

(2) Unless otherwise provided for in this act, the executive office of the state board of education shall be the entity responsible for implementing the provisions of this act. All decisions relating to the collection and safeguarding of student data shall be the responsibility of the executive office of the state board of education.

(3) The state board of education shall:

(a) Create, publish and make publicly available a data inventory and dictionary or index of data elements with definitions of individual student data fields currently in the ~~student~~-education data system including:

(i) Any individual student data required to be reported by state and federal education mandates;

(ii) Any individual student data that has been proposed for inclusion in the student data system with a statement regarding the purpose or reason for the proposed collection; and

(iii) Any individual student data collected or maintained with no current purpose or reason.

No less frequently than annually, the state board of education shall update the data inventory and index of data elements provided for in this subsection.

(b) Develop, publish and make publicly available policies and procedures to comply with the federal family educational rights and privacy act (FERPA) and other relevant privacy laws and policies including, but not limited to the following:

(i) Access to student data in the ~~student~~-data system shall be restricted to: (1) the authorized staff of the state board of education and the state department of education and the board's and the department's vendors who require such access to perform their assigned duties; (2) the district and the district's private vendors who require access to perform their assigned duties and public postsecondary staff who require such access to perform their assigned duties; (3) students and their parents or legal guardians; and (4) the authorized staff of other state agencies in this state as ~~required by law and/or~~ defined by interagency data-sharing agreements. All such data-sharing agreements shall be summarized in a report compiled by the state board of education and submitted no later than January 15 of each year to the senate education committee and the house of representatives education committee;

(ii) Provide that public reports or responses to record requests shall include aggregate data only as that term is defined in subsection (1) of this section;

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(iii) Develop criteria for the approval of research and data requests from state and local agencies, the state legislature, researchers and the public: (1) unless otherwise approved by the state board of education, student data maintained shall remain confidential; (2) unless otherwise approved by the state board of education, and released student data in response to research and data requests may include only aggregate data; ~~and (3) any approval of the board to release personally identifiable student data shall be subject to legislative approval prior to the release of such information;~~

(iv) Ensure that any contract entered into by the state board of education or the state department of education includes provisions requiring and governing data destruction dates and specific restrictions on the use of data;

(v) Provide for notification to students and parents regarding their rights under federal and state law; and

(vi) Ensure that all school districts, primary schools, secondary schools and other similar institutions entering into contracts that govern databases, online services, assessments, special education or instructional supports with private vendors shall include in each such contract a provision that private vendors are permitted to use aggregated data; or an individual student's data for secondary uses, but only if the vendor discloses in clear detail the secondary uses and receives written permission from the student's parent or legal guardian. The contract shall also include either of the following: (1) a prohibition on any secondary uses of student data by the private vendor including, but not limited to, sales, marketing or advertising, but permitting the private vendor to process or monitor such data solely to provide and maintain the integrity of the service; or (2) a requirement that the private vendor disclose in detail any secondary uses of student data including, but not limited to, sales, marketing or advertising, and the board shall obtain express parental consent for those secondary uses prior to deployment of the private vendor's services under the contract.

The state board of education and the state department of education shall ensure that any and all private vendors employed or otherwise engaged by the board or the department shall comply with the provisions of this section. Any ~~person~~ vendor determined, in either a civil enforcement action initiated by the board or ~~initiated by the department~~ designee or in a court action initiated by an injured party, to have violated a provision of this section or any rule promulgated pursuant to this section shall be liable for a civil penalty not to exceed fifty thousand dollars (\$50,000) per violation. In the case of an unauthorized release of student data, the vendor shall notify the board or the department as applicable to the contract of any data breach; ~~the state board of education or the state department of education~~ designee shall notify the parent or student of the unauthorized release of student data that includes personally identifiable information in a manner consistent with the provisions of section 28-51-105, Idaho Code.

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(c) Unless otherwise approved by the state board of education, any data deemed confidential pursuant to this act shall not be transferred to any federal, state or local agency or other organization or entity outside of the state of Idaho, with the following exceptions:

(i) A student transfers out of state or a school or district seeks help with locating an out-of-state transfer;

(ii) A student leaves the state to attend an out-of-state institution of higher education or training program;

(iii) A student voluntarily participates in a program for which such a data transfer is a condition or requirement of participation;

(iv) The state board of education or the state department of education may share such data with a vendor to the extent it is necessary as part of a contract that governs databases, online services, assessments, special education or instructional supports with a vendor;

(v) Pursuant to a written agreement between the two (2) school districts, where a student transfers from an Idaho district abutting upon another state to the nearest appropriate district in such neighboring state in accordance with the provisions of section 33-1403, Idaho Code; or

(vi) A student is classified as "migrant" for reporting purposes as required by the federal government in order to assure linkage between the various states of migrant students educational records;

(d) Develop a detailed data security plan that includes:

(i) Guidelines for authorizing access to the student data system and to individual student data including guidelines for authentication of authorized access;

(ii) Guidelines relating to administrative safeguards providing for the security of electronic and physical data; such guidelines should include provisions relating to data encryption as well as staff training to better ensure the safety and security of data;

(iii) Privacy compliance standards;

(iv) Privacy and security audits;

(v) Breach planning, notification and procedures; and

(vi) Data retention and disposition policies;

(e) Ensure routine and ongoing compliance with FERPA, other relevant privacy laws and policies, and the privacy and security policies and procedures developed under the authority of this act, including the performance of compliance audits;

(f) Ensure that any contracts that govern databases, online services, assessments or instructional supports that include student data and are outsourced to private vendors, include express provisions that safeguard privacy and security, contain the restrictions on secondary uses of student data described in subsection (3)(b)(vi) of this section, provides for data destruction, including a time frame for data destruction, and includes penalties for noncompliance with this paragraph; and

(g) Notify the governor and the legislature annually of the following:

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(i) New student data proposed for inclusion in the state student data system: (1) any new student data collection proposed by the state board of education becomes a provisional requirement to allow districts and their local data system vendors the opportunity to meet the new requirement; ~~and (2) the state board of education must submit any new provisional student data collection to the governor and the legislature for their approval within one (1) year in order to make the new student data a permanent requirement through the administrative rules process. Any provisional student data collection not approved by the governor and the legislature by the end of the next legislative session expires and must be deleted and no longer collected;~~

(ii) Changes to existing data collections required for any reason, including changes to federal reporting requirements made by the U.S. department of education;

(iii) An explanation of any exceptions granted by the state board of education in the past year regarding the release or out-of-state transfer of student data;

(iv) The results of any and all privacy compliance and security audits completed in the past year. Notifications regarding privacy compliance and security audits shall not include any information that would pose a security threat to the state or local student information systems or to the secure transmission of data between state and local systems by exposing vulnerabilities; and

(v) Data collected specific to a grant program where such data is not otherwise included in student data.

(4) The state board of education ~~shall~~ may adopt rules to implement the provisions of this act.

(5) Upon the effective date of this act, any existing collection of student data in the data system shall not be considered a new student data collection in accordance with this section.

(6) Unless otherwise prohibited by law or court order, school districts must provide parents or guardians with copies of all of their child's educational records, upon request, if such child has not attained the age of eighteen (18) years.

(7) The state board of education shall develop a model policy for school districts and public charter schools that will govern data collection, access, security and use of such data. The model policy shall be consistent with the provisions of this act. In order to assure that student educational information is treated safely and securely and in a consistent manner throughout the state, each district and public charter school shall adopt and implement the model policy. The state department of education shall provide outreach and training to the districts and public charter schools to help implement the policy. A current copy of such policy shall be posted to the school district's website. Any district or public charter school that fails to adopt, implement and post the policy where any inappropriate release of data occurs shall be liable for a civil penalty not to exceed fifty thousand dollars (\$50,000). Such civil penalty may be imposed per violation. The method of recovery of the penalty shall be by a civil enforcement action brought by the state board of education, with the assistance

of the office of the state attorney general, in the district court in and for the county where the violation occurred. All civil penalties collected under this section shall be paid into the general fund of the state.

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Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-320, Idaho Code, be, and the same is hereby amended to read as follows:

33-320. CONTINUOUS IMPROVEMENT PLANS AND TRAINING. (1) Each school district and public charter school in Idaho shall develop an annual plan that is part of a continuous focus on improving the student performance of the district or public charter school. A public charter school may use its performance certificate in lieu of a separate continuous improvement plan.

(2) (a) The board of trustees and the superintendent shall collaborate on the plan and engage students, parents, educators and the community as appropriate. The board of directors and the administrator of a public charter school shall collaborate on the plan and engage students, parents, educators and the community as appropriate. All continuous improvement plans must be approved by the local governing board.

(b) The annual continuous improvement plan shall:

(i) Be data driven, specifically in student outcomes, and shall include, but not be limited to, analyses of demographic data, student achievement and growth data, graduation rates, and college and career readiness;

(ii) Set clear and measurable targets based on student outcomes;

(iii) Include a clearly developed and articulated vision and mission;

(iv) Include key indicators for monitoring performance;

(v) Include student literacy proficiency goals and targets and how progress toward those outcomes will be measured;

(vi) Include, as applicable to the grade ranges served, trajectory growth targets toward literacy proficiency;

(vii) Include, as applicable to the grade ranges served, college and career advising and mentoring goals and how progress toward those outcomes will be measured;

~~(viii) Include the individual staff performance on each of the performance criteria as defined in section 33-1001, Idaho Code, including measurable student achievement and student success indicator targets and the percentage of students meeting those targets. Data will be aggregated at the grade range, subject, or performance indicator, as determined by the commission and allowed pursuant to section 33-133, Idaho Code;~~

~~(ix) Include, at a minimum, the student achievement and growth metrics for the state accountability framework. Student achievement and growth will be reported on each school and district's report card as required by the state board of education and published by the state department of education; and~~

(x) Include a report of progress toward the previous year's improvement goals.

(c) The annual continuous improvement plan must be reviewed and updated annually no later than October 1 each year.

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(d) The board of trustees or the board of directors shall continuously monitor progress toward the goals by utilizing relevant data to measure growth. The progress shall be included in evaluations of the district superintendent or administrator of a public charter school.

(3) The plan must be made available to the public and shall be posted on the school district or charter school website.

(4) Of the moneys appropriated in the public schools educational support program, up to six thousand six hundred dollars (\$6,600) shall be distributed to each school district and public charter school to be expended for training purposes for district superintendents and boards of trustees, public charter school administrators and boards of directors. Funds shall be distributed on a reimbursement basis based on a process prescribed by the superintendent of public instruction. Qualified training shall include training for continuous improvement processes and planning, strategic planning, finance, superintendent evaluations, public charter administrator evaluations, ethics and governance.

(5) The state board of education shall be granted rulemaking authority to establish appropriate procedures, qualifications and guidelines for qualified training providers and shall prepare a list of qualified training providers within the state of Idaho.

(6)(a) There is hereby established in the office of the state board of education a state commission for education excellence, the purpose of which will be to study and discuss continuous improvement plans established pursuant to this section and measurable student achievement and student success indicators described in section [33-1001](#), Idaho Code, that have been submitted to the state. The members of the commission shall include:

(i) One (1) representative of the state board of education, appointed by such board;

(ii) One (1) representative of the state department of education, appointed by such department;

(iii) One (1) representative of the office of the governor, appointed by the governor;

(iv) One (1) representative of business and industry, appointed by the division of career technical education;

(v) Two (2) members of the majority caucus and one (1) member of the minority caucus in the senate, appointed by the president pro tempore of the senate;

(vi) Two (2) members of the majority caucus and one (1) member of the minority caucus in the house of representatives, appointed by the speaker of the house of representatives;

(vii) One (1) parent of a public school student, appointed by the governor;

(viii) One (1) person who has been recognized as the Idaho teacher of the year, appointed by the governor;

(ix) One (1) representative of the Idaho school boards association, appointed by such association; and

(x) One (1) representative of the Idaho association of school administrators, appointed by such association.

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(b) The commission shall be staffed by the office of the state board of education. Additional staff support from the legislative services office may be provided as needed.

(c) It is the intent of the legislature that the state commission for education excellence analyze the measurable student achievement data and continuous improvement plans in the various districts and public charter schools in Idaho and then discuss and consider changes in statute or rule that could enhance outcomes. The commission shall determine some high-performing schools and districts, work to leverage their best practices to the rest of the state, and listen to ideas regarding defining and celebrating successes in student achievement. The commission shall meet at least twice annually. One (1) meeting shall be held in the fall for the purpose of studying and discussing the continuous improvement plans' performance measures and benchmarks, and one (1) meeting shall be held in the summer, after data for the prior academic year have been compiled and submitted to the commission, to review reports on statewide student success indicator achievement metrics submitted to the commission by the state department of education and to discuss possible ways to improve desired student outcomes. All such data and related statewide reports shall also be provided to all legislators in Idaho not serving on the commission. A school district's or public charter school's continuous improvement plan shall show how the measurable student achievement and student success indicator targets are aligned with the continuous improvement plan described in this section. The continuous improvement plan shall be submitted to the state board of education or the board's designee no later than October 1 of each year.

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ATTACHMENT 11

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 67-1902, Idaho Code, be, and the same is hereby amended to read as follows:

67-1902. DEFINITIONS. For purposes of sections 67-1901 through 67-1905, Idaho Code:

(1) "Agency" means each department, board, commission, office and institution, educational or otherwise, except elective offices, in the executive department of state government. "Agency" does not include legislative and judicial branch entities or budgetary divisions or programs funded through a postsecondary educational institution.

(2) "Benchmark" or "performance target" means the agency's expected, planned or intended result for a particular performance measure. This information may come from an accepted industry standard for performance or from an agency's careful study, research and/or analysis of the circumstances impacting performance capabilities.

(3) "Core function" means a group of related activities serving a common end of meeting the main responsibilities of the agency.

(4) "Goal" means a planning element that describes the broad condition, state or outcome an agency or program is trying to achieve.

(5) "Major division" means an organizational group within the agency that focuses on meeting one (1) or more of the agency's primary statutory responsibilities.

(6) "Objective" means a planning element that describes a specific condition, state or outcome that an agency or program is trying to achieve as a step toward fulfilling its goals.

(7) "Performance measure" means a quantifiable indicator of an agency's progress toward achieving its goals.

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ATTACHMENT 12

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-6401, Idaho Code, be, and the same is hereby amended to read as follows:

33-6401. EXTENDED LEARNING OPPORTUNITIES. Full-time ~~S~~students attending public schools in Idaho shall be eligible for extended learning opportunities outside of the traditional classroom. For the purposes of this chapter, "extended learning opportunity" means an out-of-classroom learning experience that provides a student with:

- (1) Enrichment opportunities outside of a classroom setting;
- (2) Career readiness or employability skills, including internships, pre-apprenticeships, and apprenticeships; or
- (3) Any other type of out-of-classroom educational opportunity approved by the state board of education or the student's school district or public charter school.

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ATTACHMENT 13

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-306, Idaho Code, be, and the same is hereby amended to read as follows:

33-306. BOUNDARIES OF SCHOOL DISTRICTS. (1) There shall be no part of the area of the state of Idaho not included in the area of some school district and no two school district boundaries shall overlap.

(2) A legal description of the boundaries of each school district, as now or hereafter established, shall be kept by the state board of education, ~~and~~ by the board of county commissioners in each county in which any school district, or any part thereof, shall lie, and the state tax commission.

SECTION 2: That Section 33-307 Idaho Code, be, and the same is hereby amended to read as follows:

33-307. CORRECTING OR ALTERING SCHOOL DISTRICT BOUNDARIES. (1) Whenever the state board of education shall find that school district boundaries should be corrected or altered, because of error in the legal description of the boundaries of any school district, or for any other reason, including, but not limited to:

(a) Any part of the area of the state is not included within the area of a school district or found to overlap with another school district boundary; or

(b) Is included in more than one (1) school district; or

(c) The approval in any school election involving the excision and annexation of territory, or the consolidation of school districts, the division of a school district, or the lapse of a school district; then the superintendent of public instruction shall make an appropriate order including an omitted area into any school district, or districts, or correcting or altering the boundaries of the districts, in such manner as, in his judgment, is just and proper.

(2) A copy of any such order shall be sent by the state department of education to the board of trustees of any school district affected by the order, which shall notify the state tax commission and the county assessor and county recorder in accordance with the provisions of section 63-215, Idaho Code.

(3) Within thirty (30) days of receipt of the order, the state tax commission and the county assessor shall correct or alter the legal description of the school district or districts, as the same may appear in their respective records. The state tax commission shall notify the board of trustees of the affected school district and the state department of education that the county records have been corrected as ordered effective upon such notification. In the case of either the consolidation or division of a school district, the proposal

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shall become effective the first day of July next following the date of the order.

(4) The state board of education may promulgate rules to govern the procedures for correcting or altering school district boundaries.

SECTION 3: That Section 33-308, Idaho Code, be, and the same is hereby amended to read as follows:

33-308. EXCISION AND ANNEXATION OF TERRITORY. (1) A board of trustees of any school district, including a specially chartered school district, or one-fourth (1/4) or more of the school district electors residing in an area of not more than fifty (50) square miles within which there is no schoolhouse or facility necessary for the operation of a school district, may petition in writing proposing the annexation of the area to another and contiguous school district.

(2) Such petition shall be in duplicate, one (1) copy of which shall be presented to the board of trustees of the district from which the area is proposed to be excised, and the other to the board of trustees of the district to which the area is proposed to be annexed. The petition shall contain:

(a) The names and addresses of the petitioners;

(b) A legal description of the area proposed to be excised from one district and annexed to another contiguous district. Such legal description shall be prepared by a licensed attorney, licensed professional land surveyor, or licensed professional engineer professionally trained and experienced in legal descriptions of real property;

(c) Maps showing the boundaries of the districts as they presently appear and as they would appear should the excision and annexation be approved, drafted by a qualified professional as described in (b), and certified as matching the legal descriptions of the boundaries;

(d) The names of the school districts from and to which the area is proposed to be excised and annexed;

(e) A description of reasons for which the petition is being submitted; and

(f) An estimate of the number of children residing in the area described in the petition.

(3) The board of trustees of each school district, no later than thirty (30) calendar days after its first regular meeting held subsequent to receipt of the petition, shall transmit the petition, with recommendations, to the state board of education.

(4) The state board of education shall approve the proposal, provided:

(a) The excision and annexation is in the best interests of the children residing in the area described in the petition; and

(b) The excision of the territory, as proposed, would not leave a school district with a bonded debt in excess of the limit then prescribed by law.

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If either condition is not met, the state board shall disapprove the proposal. The approval or disapproval shall be expressed in writing to the board of trustees of each school district named in the petition.

(5) If the state board of education approves the proposal, it shall be submitted to the school district electors residing in the district from which the area is proposed to be excised and in the district to which the area is proposed to be annexed, at an election held in the manner provided in [chapter 14, title 34](#), Idaho Code. Such election shall be held on the date authorized in section [34-106](#), Idaho Code, that is nearest to sixty (60) days after the state board approves the proposal.

(6) At the election, there shall be submitted to the electors having the qualifications of electors in a school district bond election:

(a) The question of whether the area described in the petition shall be excised from school district no. () and annexed to contiguous school district no. (); and

(b) The question of assumption of the appropriate proportion of any bonded debt, and the interest thereon, of the proposed annexing school district.

(7) In order for a proposal to excise and annex an area to be approved:

(a) The proposal must be approved by a majority of electors voting in the election in both:

(i) The district from which the area is proposed to be excised; and

(ii) The district to which the area is proposed to be annexed; and

(b) The electors voting on the question of the assumption of bonded debt and interest have approved such assumption by the proportion of votes cast as is required by section 3, article VIII, of the constitution of the state of Idaho.

(8) If the proposal is approved by the electors in the manner prescribed, the board of canvassers shall promptly notify the state department of education and the affected school districts of such results. The superintendent of public instruction shall make an appropriate order for the boundaries of the affected school districts to be altered, and the legal descriptions of the school districts shall be altered as prescribed in section [33-307](#), Idaho Code.

[\(9\) Final official school district boundaries approved by the state board of education shall be kept on file with the Idaho Tax Commission for use by the public and other governmental organizations.](#)

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Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-5603, Idaho Code, be, and the same is hereby amended to read as follows:

33-5603. EDUCATION OPPORTUNITY RESOURCE COMMITTEE – MEMBERS AND MEETINGS. (1) There is hereby established in the office of the state department-board of education the education opportunity resource committee. The committee shall consist of the following eight (8) members:

(a) One (1) member shall be the state superintendent of public instruction or the superintendent's designee;

(b) One (1) member shall be ~~appointed by the state board of education;~~

the education data chief information officer or designee;

(c) Three (3) members shall be appointed by the Idaho association of school administrators as follows:

(i) One (1) member who is a superintendent from a school district with fewer than one thousand (1,000) students enrolled, or the superintendent's designee;

(ii) One (1) member who is a superintendent from a school district with between one thousand (1,000) and four thousand nine hundred ninety-nine (4,999) students enrolled, or the superintendent's designee; and

(iii) One (1) member who is a superintendent from a school district with five thousand (5,000) or more students enrolled, or the superintendent's designee;

(d) One (1) member shall be the state librarian or the state librarian's designee; and

(e) Two (2) members shall be school technology personnel appointed by the Idaho education technology association.

(2) The chairperson shall be the education data chief information officer. ~~The~~ committee shall elect ~~a chairperson and a~~ vice chairperson who shall each hold such position for two (2) year terms and who may be reelected. Members of the committee shall serve four (4) year terms. Vacancies shall be filled by the relevant appointing authority for the remaining term.

(3) The committee shall meet at least once quarterly until July 1, 2018, after which date the committee shall meet at least once annually.

(4) All meetings of the committee shall be held in accordance with the state open meetings law set forth in chapter 2, title 74, Idaho Code.

SECTION 2: That Section 33-5604, Idaho Code, be, and the same is hereby amended to read as follows:

33-5604. EDUCATION OPPORTUNITY RESOURCE COMMITTEE – POWERS AND DUTIES. In carrying out its powers and duties set forth in this

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section, the education opportunity resource committee shall focus on the broadband, wireless LAN and related services needs of all E-rate eligible entities. At a minimum, the committee shall:

(1) Make budget and policy recommendations to the state ~~department~~office of the state board of education regarding:

(a) Broadband parameters;

(b) Wireless LAN parameters;

(c) Incentives for E-rate eligible entities to obtain the most appropriate service that best fits such entities' broadband needs and that is fiscally responsible;

(d) Incentives for districts to obtain the most appropriate service that best fits their wireless LAN needs and that is fiscally responsible; and

(e) The minimum and maximum service levels, the quality of services and the minimum per student or person internet and wireless LAN levels that contracts must adhere to for E-rate eligible entities to be eligible for state reimbursement.

(2) Establish reimbursement methodology that includes, but is not necessarily limited to, the following components:

(a) Distribution of appropriated moneys to E-rate eligible entities that have received E-rate funding. Distribution of such moneys must be in an amount equal to the non-E-rate reimbursed cost of internet services;

(b) If E-rate funding is not available to an E-rate eligible entity for any reason, other than a failure of the entity to apply in good faith for available E-rate funding, reimburse the entity for its internet service costs;

(c) Distribution of appropriated moneys remaining, after internet services are fully funded, for wide area networks (WANs). If necessary, the committee shall create an equalization formula for WAN distributions; and

(d) Distribution of appropriated moneys for related services, including but not limited to wireless LAN service to districts that either have received E-rate funding or have applied in good faith for E-rate funding.

(3) Compile and analyze broadband utilization statistics from E-rate eligible entities to determine the levels of internet services necessary for such entities and report the statistics to the office of the state department-board of education, and E-rate eligible entities shall cooperate with the committee in carrying out its duty to compile and analyze such information;

(4) Advise and recommend resources to assist the office of the state department-board of education in carrying out its responsibility to provide E-rate application assistance and support to E-rate eligible entities;

(5) Not provide legal advice;

(6) Collaborate with other relevant governmental and nongovernmental entities to ensure best practices in broadband and wireless LAN are used and to recommend the terms of contracts for broadband, wireless LAN and related services; and

(7) Ensure compliance with appropriate purchasing laws.

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SECTION 3: That Section 33-5606, Idaho Code, be, and the same is hereby amended to read as follows:

33-5605. EDUCATION OPPORTUNITY RESOURCE ACT ~~—STATE DEPARTMENT OF EDUCATION DUTIES—~~ RULEMAKING. (1) The state department of education shall:

~~(a) Distribute appropriated moneys to E-rate eligible entities~~ districts for reimbursement for the cost of internet service and other allowable services in accordance with the methodology established by the education opportunity resource committee;

(2) The commission for libraries shall distribute appropriated moneys to the Idaho public libraries for reimbursement for the cost of internet service and other allowable services in accordance with the methodology established by the education opportunity resource committee;

(a) Provide technical, E-rate, security, contracting and procurement guidance and assistance to Idaho public libraries at any such entity's request.

~~(b) Authorize funding increases for internet service levels when an E-rate eligible entity consistently exceeds utilization benchmarks established by the education opportunity resource committee during school or business days and hours, provided adequate funding is available; and~~

~~(c) Provide technical, E-rate, security, contracting and procurement guidance and assistance to E-rate eligible entities at any such entity's request.~~

(23) The state board of education may: (a) promulgate rules in compliance with chapter 52, title 67, Idaho Code, to implement the provisions of this chapter. In promulgating such rules, the board shall collaborate with the education opportunity resource committee.

(b) Authorize funding increases for internet service levels when an E-rate eligible entity consistently exceeds utilization benchmarks established by the education opportunity resource committee during school or business days and hours, provided adequate funding is available; and

(c) Provide technical, E-rate, security, contracting and procurement guidance and assistance to districts at any such entity's request.

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ATTACHMENT 15

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-319, Idaho Code, be, and the same is hereby amended to read as follows:

33-319. RURAL SCHOOL DISTRICTS - RURAL PUBLIC CHARTER SCHOOLS. (1) A school district shall be considered a rural school district if it meets one (1) of the following two (2) criteria:

(a) There are fewer than twenty (20) enrolled students per square mile within the area encompassed by the school district's boundaries; or

(b) The county in which a plurality of the school district's market value for assessment purposes is located contains less than twenty-five thousand (25,000) residents, based on the most recent decennial United States census.

(2) A public charter school shall be considered a rural public charter school if the school district in which the public charter school is physically located meets the definition of a rural school district, pursuant to subsection (1) of this section. A public charter school that is also a virtual school shall be considered a rural public charter school if over fifty percent (50%) of its enrolled students reside within school districts that meet the definition of a rural school district pursuant to subsection (1) of this section.

(3) A public school shall be considered a rural school if it meets the criteria of subsection (1)(a) or (b) as applied to the school's attendance zone.

(4) Rural school districts and schools, including public charter schools, may be further classified within three categories; rural remote, rural distant, and rural border.

(a) "Rural remote" school districts and public schools are ones that meet the definition as applied in subsection (1) and are less than or equal to five (5) miles from an urbanized areas, as well as rural territory that is less than or equal to two and one-half (2 ½) miles from an urban cluster.

(b) "Rural distant" school districts and public schools are ones that meet the definition as applied in subsection (1) and are more than five (5) miles but less than or equal to twenty-five (25) miles from an urbanized area, as well as rural territory that is more than two and one-half (2 ½) miles but less than or equal to ten (10) miles from an urban cluster.

(c) "Rural border" school districts and public schools are ones that meet the definition as applied in subsection (1) and are less than or equal to five (5) miles from an urbanized areas, as well as rural territory that is less than or equal to two and one-half (2 ½) miles from an urban cluster.

(d) "Urban cluster" means a defined area at least 2,500 and less than 50,000 people.

(e) "Urbanized area" means a defined area of fifty-thousand people or more.

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ATTACHMENT 16

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1: That Section 33-107A, Idaho Code, be, and the same is hereby amended to read as follows:

STATE BOARD OF EDUCATION

33-107A. BOARD MAY ESTABLISH AN OPTIONAL RETIREMENT PROGRAM. (1) The state board of education may establish an optional retirement program under which contracts providing retirement and death benefits may be purchased for members of the teaching staff and officers of the university of Idaho, Idaho state university, Boise state university, Lewis-Clark state college and the office of the state board of education who are hired on or after July 1, 1993; provided, however, that no such employee shall be eligible to participate in an optional retirement program unless he would otherwise be eligible for membership in the public employee retirement system of Idaho.

(2) The state board of education is hereby authorized to provide for the administration of the optional retirement program and to perform or authorize the performance of such functions as may be necessary for such purposes. The board shall designate the company or companies from which contracts are to be purchased under the optional retirement program and shall approve the form and contents of such contracts. In making the designation and giving approval, the board shall consider:

(a) The nature and extent of the rights and benefits to be provided by such contracts for participants and their beneficiaries;

(b) The relation of such rights and benefits to the amount of contributions to be made;

(c) The suitability of such rights and benefits to the needs of the participants and the interests of the institutions in the recruitment and retention of staff members; and

(d) The ability of the designated company to provide such suitable rights and benefits under such contracts.

(3) Elections to participate in an optional retirement program shall be as follows:

(a) Eligible employees are:

(i) Those faculty and nonclassified staff initially appointed or hired between July 1, 1990, and June 30, 1993; and

(ii) Those ~~teaching staff and officers~~ faculty and nonclassified staff initially appointed or hired on or after July 1, 1993.

(iii) Nonclassified staff of the office of the state board of education.

All eligible employees, except those who are vested members of the public employee retirement system of Idaho or nonclassified employees hired by the office of the state board of education on or after July 1, 2023 or who qualify under section(3)(b), shall participate in the optional retirement program.

(b) Vested members of the public employee retirement system of Idaho or nonclassified employees hired by the office of the state board of education on or after July 1, 2023 may make a one (1) time

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irrevocable election to remain or join, as applicable, the public retirement system of Idaho.~~a member of that retirement system.~~ The election shall be made in writing, within sixty (60) days of the date of initial hire or appointment~~or the effective date of this act, whichever occurs later.~~ It shall be filed with the administrative officer of the employing institution.

(c) An election by an eligible employee of the optional retirement program shall be irrevocable and shall be accompanied by an appropriate application, where required, for issuance of a contract or contracts under the program.

(d) The accumulated contributions of employees who make the one (1) time irrevocable election or are required to participate in the optional retirement program may be transferred by the public employee retirement system of Idaho to such qualified plan, maintained under the optional retirement program, as designated in writing by the employee.

(4) (a) Each institution shall contribute on behalf of each participant in its optional retirement program the following:

(i) To the designated company or companies, an amount equal to nine and thirty-five hundredths percent (9.35%) of each participant's salary, reduced by any amount necessary, if any, to provide contributions to a total disability program provided either by the state or by a private insurance carrier licensed and authorized to provide such benefits or any combination thereof, but in no event less than five percent (5%) of each participant's salary; and

(ii) To the public employee retirement system, an amount equal to one and forty-nine hundredths percent (1.49%) of salaries of members who are participants in the optional retirement program. This amount shall be paid until July 1, 2025, and is in lieu of amortization payments and withdrawal contributions required pursuant to chapter 13, title 59, Idaho Code.

(b) Each participant shall contribute an amount equal to six and ninety-seven hundredths percent (6.97%) of the participant's salary. Employee contributions may be made by employer pick-up pursuant to section 59-1332, Idaho Code.

(c) Payment of contributions authorized or required under this subsection shall be made by the financial officer of the employing institution to the designated company or companies for the benefits of each participant.

(5) Any person participating in the optional retirement program shall be ineligible for membership in the public employee retirement system of Idaho as long as he remains continuously employed in any teaching staff position or as an officer with any of the institutions under the jurisdiction of the state board of education.

(6) A retirement, death or other benefit shall not be paid by the state of Idaho or the state board of education for services credited under the optional retirement program. Such benefits are payable to participants or their beneficiaries only by the designated company or companies in accordance with the terms of the contracts.

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SUBJECT

Proposed Rule – Docket No. 08-0111-2201, Registration of Postsecondary Educational Institutions and Proprietary Schools

REFERENCE

August 2017	Board approved proposed rule Docket 08-0111-1701
November 2017	Board approved pending rule Docket 08-0111-1701.
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.
October 2021	Board approved proposed Omnibus rule, Docket 08-0000-2100, incorporating proposed rules approved in August 2021.
November 2021	Board approved pending Omnibus rule, Docket 08-0000-2100.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative Code, IDAPA 08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools
Executive Order 2020-01
Chapter 24, Title 33, Idaho Code

BACKGROUND/DISCUSSION

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

For the 2022-2023 rulemaking cycle the following rules were identified for review, IDAPA 08.01.11, 08.01.13 and 08.02.03. In addition to these sections of rule being reviewed, DFM and the State Office of Administrative Rules have enacted new procedures requiring any rulemaking within a chapter to be consolidated in a single Docket. In past years the Board could consider multiple rule Dockets from the same IDAPA chapter in different dockets, based on each subject contained in that chapter. As an example, in the past the Board could consider a Docket amending IDAPA 08.02.01.100 and a separate Docket with amendments to IDAPA 08.02.01.800. Now all amendments to IDAPA 08.02.01 must be consolidated in a single Docket for IDAPA 08.02.01.

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The Zero Based Regulations review process requires each agency and board to 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 where possible.

IDAPA 08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools sets out the processes for degree granting postsecondary institutions and private proprietary schools to register and operate in the State of Idaho. Chapter 24, Title 33 establishes the registration requirements for both types of educational entities while the rule sets out the process for registration and provides additional clarification where necessary.

The processes for both types of education providers are very similar. In compliance with the zero based regulations initiative, the duplicative language has been combined into a single section and provisions established in Chapter 24, Title 33 have been removed. No other changes have been made.

IMPACT

The proposed rule will streamline the language currently established in IDAPA 08.01.11. The approval of this proposed rule will allow the rule to be published in the Administrative Bulletin, at which time the 21-day public comment period will start.

ATTACHMENTS

Attachment 1 – Proposed Rule Docket No. 08-0111-2201

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules, temporary rules, proposed rules and pending rules. Temporary and proposed rules may be promulgated jointly with a single docket number or temporary rules may be promulgated as a standalone rule. The Notice of Intent to Promulgate Rules was published in the July 6, 2022 (Vol 22-7) Idaho Administrative Rules Bulletin.

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 received comments 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 consideration. Once approved, pending rules will be submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected by the Legislature.

Staff recommends approval.

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BOARD ACTION

I move to approve proposed rule – Docket 08-0111-2201, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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ATTACHMENT 1

**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. (3-15-22)

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. (3-15-22)

002. 01. DELEGATION.

The Board delegates authority to its Executive Director and the Office of the State Board of Education to administer the registration of postsecondary educational institution and proprietary schools, in accordance with Title 33, Chapter 24, Idaho Code, and this rule.

003 -- 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. (3-15-22)~~

~~**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. (3-15-22)~~

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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

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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. (3-15-22)

101. REGISTRATION

01. Registration Requirement. Unless exempted by statute or this rule, as provided herein, an institution or school which maintains an Idaho presence, or that operates or purports to operate from a location within the state of Idaho, shall register annually and hold a valid certificate of registration issued by the Board. An institution shall not conduct, provide, offer, or sell a course or courses of study, or degree unless registered. A school shall not solicit students for or on behalf of such school, or advertise in the state unless registered.

a. Renewal of registration shall be for the period beginning on July 1 of any year, and continue through June 30 of the next succeeding year. Registration must be renewed annually. Renewal of registration is not automatic.

b. An institution or school shall be deemed to have a presence in Idaho, or to be operating or purporting to be operating from a location within the state of Idaho, if it owns, rents, leases, or uses any office or other type of physical location in Idaho, including a mailing or shipping center, or if it represents in any way, such as on an electronic or Internet website, to have an Idaho street or mailing address, including a post office box in Idaho, for purposes of conducting, providing, offering or selling a course or courses of study or degrees.

c. An institution or school that is required to register under this rule must submit to the Board office an application for registration (either an application for initial registration or renewal of registration, as applicable), on the form provided by the Board office. The application must include a list of each course, course of study, and degree the applicant institution intends to conduct, provide, offer, or sell in Idaho during the registration year.

d. The annual registration fee for initial registration or renewal of registration must accompany the application for registration, and shall be one-half of one percent (.5%) of the gross Idaho tuition revenue of the school 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). The school shall provide documentation to substantiate the amount of revenue reported. Registration fees are nonrefundable.

e. An initial application for registration may be submitted to the Board at any time. The review process for an initial registration will take approximately three (3) to five (5) months. An application for renewal of registration must be submitted to the Board on or before the first business day of May that precedes the registration year. The renewal will be processed within thirty (30) days. Institutions or schools that do not adhere to this schedule and whose renewals are not processed by July 1st must cease all active operations until approval of registration is received.

102. THE BOARD MAY NOTIFY THE INSTITUTION OR SCHOOL OF ADDITIONAL INFORMATION REQUIRED.

If the Board is unable to determine the nature and activities of an institution or school on the basis of the information provided by the institution or school, then the Board may notify the institution or school of additional information that it will be required to provide in connection with the application for registration. (3-15-22)

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. (3-15-22)

02. Criteria for Approval of Registration. To be approved for registration, the institution or school must demonstrate that it is in compliance with Chapter 24, Title 33, Idaho Code and this rule. An institution or school must remain in compliance for the registration year. (3-15-22)

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, Chapter 1, Title 74, Idaho Code. (3-15-22)

04. Certificate of Registration or Exemption. (3-15-22)

a. A certificate of registration will be issued to an institution or school 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 or school that is registered with the Board shall advertise or

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represent in any manner that it is accredited or endorsed by the Board. An institution or school may only represent that it is "Registered with the Idaho State Board of Education." Registration is not an endorsement of the institution or school or any of its courses, courses of study, or degrees. (3-15-22)

b. An institution or school exempt from registration under these rules may request a certificate of exemption. (3-15-22)

c. If an institution or school 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 or school must submit a letter to the Board Office along with documentation of its accrediting agency- or by the applicable professional or trade board, council, or commission's approval of the specific changes.

05. Disapproval and Appeal. If an institution's or school's request for initial registration, or renewal of registration, is disapproved by the Board, then the institution or school may appeal such decision within thirty (30) days of the date the institution or school is notified of the disapproval. (3-15-22)

06. Withdrawal of Approval. (3-15-22)

a. The Board may refuse to renew, or may revoke or suspend approval of, an institution or school's registration by giving written notice and the reasons therefore to the institution or school. The institution or school may request a hearing relating to such decision under IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (3-15-22)

b. Withdrawal of approval may be for one (1) or more of the following reasons: (3-15-22)

i. Violation of Chapter 24, Title 33, Idaho Code or this rule; (3-15-22)

ii. Providing false, misleading, deceptive, or incomplete information to the Board; (3-15-22)

iii. Presenting information to prospective or current students which is false, fraudulent, misleading, deceptive, or inaccurate in a material respect; (3-15-22)

iv. Refusing to allow reasonable inspection or to supply reasonable information after a written request by the Board Office has been received; or (3-15-22)

v. Loss of accreditation status. (3-15-22)

c. If any information contained in the application submitted by the institution or school becomes incorrect or incomplete, then the registered institution or school shall notify the Board office of such change within thirty (30) days. An institution or school that ceases operation during the course of a registration year shall immediately inform the Board Office of this event. (3-15-22)

101. -- 199. (RESERVED)

200. REGISTRATION OF POSTSECONDARY EDUCATIONAL INSTITUTIONS.

~~**01. Delegation.** Section 33-2403, Idaho Code, provides that a postsecondary educational institution must hold a valid certificate of registration issued by the Board. The Board delegates authority to its Executive Director and the Office of the State Board of Education to administer the registration of postsecondary educational institution, in accordance with Title 33, Chapter 24, Idaho Code, and this rule.~~ (3-23-22)

021. Registration Requirement. (3-23-22)

~~**a.** Unless exempted by statute or this rule, as provided herein, a postsecondary educational institution which maintains a presence within the state of Idaho, or that operates or purports to operate from a location within the state of Idaho, shall register and hold a valid certificate of registration issued by the Board. An institution shall not~~

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~~conduct, provide, offer, or sell a course or courses of study, or degree unless registered. (3-23-22)~~

~~**ba.** Registration shall be for the period beginning on the date a certificate of registration is issued and continue through June 30 of the next succeeding year. A registered postsecondary educational institution must renew its certificate of registration annually, and renewal of registration is not automatic. (3-23-22)~~

~~**c.** Renewal of registration shall be for the period beginning on July 1 of any year, and continue through June 30 of the next succeeding year. (3-23-22)~~

db. A new or start-up entity that desires to operate as a postsecondary educational institution in Idaho but which is not yet accredited by an accreditation organization recognized by the Board must register and operate as a proprietary school until accreditation is obtained. A new or start-up entity that is accredited and authorized to operate in another state, and which desires to operate as a postsecondary educational institution in Idaho offering degrees for which specialized program accreditation is required, may be granted approval to operate subject to the successful attainment of such program accreditation within the regular program accreditation cycle required by the accreditor. (3-23-22)

ec. There is no inherent or private right to grant degrees in Idaho. That authority belongs only to institutions properly authorized to operate in Idaho under these rules. (3-23-22)

032. Idaho Presence. (3-23-22)

~~**a.** An institution shall be deemed to have a presence in Idaho, or to be operating or purporting to be operating from a location within the state of Idaho, if it owns, rents, leases, or uses any office or other type of physical location in Idaho, including a mailing or shipping center, or if it represents in any way, such as on an electronic or Internet website, to have an Idaho street or mailing address, including a post office box in Idaho, for purposes of conducting, providing, offering or selling a course or courses of study or degrees. (3-23-22)~~

ba. Idaho presence shall include medical/osteopathic education clinical instruction occurring in the state of Idaho as part of a course of study leading to a degree pursuant to a formal multi-year arrangement or agreement between such clinic and an institution providing medical/osteopathic education instruction where eleven (11) or more students of the institution are physically present simultaneously at a single field site. (3-23-22)

eb. Idaho presence shall not include: (3-23-22)

i. Distance or online education delivered by an institution located outside of the state of Idaho to students in this state when the institution does not otherwise have physical presence in Idaho, as provided in Subsection 200.03.a. of this rule; (3-23-22)

ii. Medical education instruction occurring in the state of Idaho by an institution pursuant to a medical education program funded by the state of Idaho; (3-23-22)

iii. Internship or cooperative training programs occurring in the state of Idaho where students are employed by or provide services to a business or company in this state and receive course credit from an institution related to such activities; or (3-23-22)

iv. Activities limited to the recruiting or interviewing of applicants or potential students in the state of Idaho, whether conducted by a compensated employee, agent, or representative of an institution, or by volunteer alumnus of an institution, even if such individual is physically located in this state. (3-23-22)

043. Institutions Exempt from Registration. (3-23-22)

~~**a.** Idaho public postsecondary educational institutions. Section 33-2402(1), Idaho Code, provides that a public institution supported primarily by taxation from either the state of Idaho or a local source in Idaho shall not be required to register. (3-23-22)~~

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~~**ba.** Certain Idaho private, nonprofit, postsecondary educational institutions. A~~ Provided that they remain lawfully organized in the state of Idaho with their principal place of business in Idaho, and remain accredited by an accreditation organization recognized by the Board, the following private, nonprofit, postsecondary educational institutions that ~~is already were~~ established and operational as of the date when this rule first went into effect, ~~are exempt from registration:~~ (Brigham Young University - Idaho, College of Idaho, Northwest Nazarene University, New Saint Andrews College, Boise Bible College), and located within the state of Idaho, and that is accredited by an accreditation organization recognized by the Board, as set forth in Section 100 of this rule, shall not be required to register. A private, nonprofit, institution is located within the state of Idaho only if it has been lawfully organized in the state of Idaho and its principal place of business is located within the state of Idaho. An institution exempt under this subsection may voluntarily register by following the procedure for registration provided herein. (3-23-22)

eb. Idaho religious institutions. A religious institution located within the state of Idaho that is owned, controlled, operated, and maintained by a religious organization lawfully operating as a nonprofit religious corporation and that grants only religious degrees shall not be required to register. (3-23-22)

054. Institutions That Must Register. Unless exempt under Subsection 200.04-03 of this rule, any entity that desires to operate as a postsecondary educational institution in Idaho must register as provided herein. (3-23-22)

~~**06. Application.** A postsecondary educational institution that is required to register under this rule must submit to the Board office an application for registration (either an application for initial registration or renewal of registration, as applicable), on the form provided by the Board office. The application must include a list of each course, course of study, and degree the applicant institution intends to conduct, provide, offer, or sell in Idaho during the registration year. (3-23-22)~~

~~**07. Registration Fees.** The Board shall assess an annual registration fee for initial registration or renewal of registration of a postsecondary educational institution. The registration fee must accompany the application for registration, and shall be in the amount of one half of one percent (.5%) of the gross Idaho tuition revenue of the institution 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). The institution must provide financial documentation to substantiate the amount of revenue reported. Registration fees are nonrefundable. (3-23-22)~~

~~**08. Deadline for Registration.** An initial application for registration may be submitted to the Board at anytime. An institution should expect the Board's review process for an initial registration to take approximately three (3) to five (5) months. An application for renewal of registration must be submitted to the Board on or before the first business day of May that precedes the registration year. The renewal will be processed within thirty (30) days. Institutions that do not adhere to this schedule and whose renewals are not processed by July 1st must cease all active operations until approval of registration is received. (3-23-22)~~

095. Information Required. (3-23-22)

a. An application must include all the information requested on the application form, as well as the following information: (3-23-22)

i. Copy of most recent accreditation letter showing the period of approval; (3-23-22)

ii. Current list of chief officers - e.g. president, board chair, chief academic officer, chief fiscal officer; (3-23-22)

iii. Enrollment data for current and past two (2) years; (3-23-22)

iv. Copy of annual audited financial statement, or other financial instrument as established by the executive director; (3-23-22)

v. Any additional information that the Board may request. (3-23-22)

vi. All advertising, pamphlets, and other literature used to solicit students and all contract forms must

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accurately represent the purpose of the school, its courses or courses of study, and other relevant information to assist students in making an informed decision to enroll. Institutions 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. Institutions with courses or courses of study that have not been fully accredited must disclose to prospective students in these courses or courses of study the accreditation status of the program and anticipated date for full accreditation. (3-23-22)

b. The Board may, in connection with a renewal of registration, request that an institution only submit information that documents changes from the previous year, provided that the institution certifies that all information and/or documentation submitted in a previous registration year remains current. The annual registration fee, described in Subsection ~~200.07~~101 of this rule, shall remain applicable. (3-23-22)

~~**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. (3-15-22)~~

~~**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. (3-15-22)~~

~~**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. (3-15-22)~~

~~**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. (3-15-22)~~

~~**04. Certificate of Registration or Exemption.** (3-15-22)~~

~~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. (3-15-22)~~

~~b. An institution exempt from registration under these rules may request a certificate of exemption. (3-15-22)~~

~~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. (3-15-22)~~

~~**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. (3-15-22)~~

~~**06. Withdrawal of Approval.** (3-15-22)~~

~~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~~

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~~such decision under IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (3-15-22)~~

- ~~b. Withdrawal of approval may be for one (1) or more of the following reasons: (3-15-22)~~
- ~~i. Violation of Chapter 24, Title 33, Idaho Code or this rule; (3-15-22)~~
- ~~ii. Providing false, misleading, deceptive, or incomplete information to the Board; (3-15-22)~~
- ~~iii. Presenting to prospective or current students information about the institution which is false, fraudulent, misleading, deceptive, or inaccurate in a material respect; (3-15-22)~~
- ~~iv. Refusing to allow reasonable inspection or to supply reasonable information after a written request by the Board Office has been received; or (3-15-22)~~
- ~~v. Loss of accreditation status. (3-15-22)~~
- ~~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. (3-15-22)~~

202. -- 299. (RESERVED)

300. REGISTRATION OF PROPRIETARY SCHOOLS.

~~**01. Delegation.** Section 33-2403, Idaho Code, provides that a proprietary school must hold a valid certificate of registration issued by the Board. The Board delegates authority to its Executive Director and the Office of the State Board of Education to administer the registration of proprietary schools, in accordance with Title 33, Chapter 24, Idaho Code, and this rule. (3-23-22)~~

021. Registration Requirement. (3-23-22)

~~**a.** Unless exempted by statute or this rule, as provided herein, a proprietary school which maintains a presence within the state of Idaho, or which operates or purports to operate from a location within the state of Idaho, shall register annually and hold a valid certificate of registration issued by the Board. A school shall not conduct, provide, offer, or sell a course or courses of study unless registered. A school shall not solicit students for or on behalf of such school, or advertise in this state, unless registered. (3-23-22)~~

~~**b.** Registration shall be for the period beginning July 1 of any year and continue through June 30 of the next succeeding year. For a school that has not previously registered with the Board, registration shall be for the period beginning on the date of issuance of a certificate of registration and continue through June 30 of the next succeeding year. A registered proprietary school must renew its certificate of registration annually and renewal of registration is not automatic. (3-23-22)~~

~~**c.** Renewal of registration shall be for the period beginning on July 1 of any year, and continue through June 30 of the next succeeding year. (3-23-22)~~

032. Idaho Presence. (3-23-22)

~~**a.** A school shall be deemed to have a presence in Idaho, or to be operating or purporting to be operating from a location within the state of Idaho, or if it owns, rents, leases, or uses any office or other type of physical location in Idaho, including a mailing or shipping center, or if it represents in any way, such as on an electronic or Internet website, to have an Idaho street or mailing address, including a post office box in Idaho, for purposes of conducting, providing, offering or selling a course or courses of study or degrees. (3-23-22)~~

~~**b.** Notwithstanding the provision of section 101 of these rules, Idaho presence shall not include: (3-~~

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- i. Distance or online education delivered by an institution located outside of the state of Idaho to students in this state when the institution does not otherwise have physical presence in Idaho, as provided in Subsection ~~300.03.a.101~~ of this rule; (3-23-22)
- ii. Internship or cooperative training programs occurring in the state of Idaho where students are employed by or provide services to a business or company in this state and receive course credit from an institution related to such activities; or (3-23-22)
- iii. Activities limited to the recruiting or interviewing of applicants or potential students in the state of Idaho, whether conducted by a compensated employee, agent, or representative of an institution, or by volunteer alumnus of an institution, even if such individual is physically located in this state. (3-23-22)

~~**043. Exemptions from Registration.** In addition to those individuals or entities that are specifically exempt from registration pursuant to Section 33-2403, Idaho Code, the following individuals or entities are specifically exempt from the registration requirements of this rule: (3-23-22)~~

~~a. An individual or entity that offers instruction or training solely avocational or recreational in nature, as determined by the Board. (3-23-22)~~

~~b. An individual or entity that offers courses recognized by the Board which comply in whole or in part with the compulsory education law. (3-23-22)~~

~~c. An individual or entity that offers a course or courses of study sponsored by an employer for the training and preparation of its own employees, and for which no tuition fee is charged to the student. (3-23-22)~~

~~d. An individual or entity which is otherwise regulated, licensed, or registered with another state agency pursuant to Title 54, Idaho Code. (3-23-22)~~

~~e. An individual or entity that offers intensive review courses designed to prepare students for certified public accountancy tests, public accountancy tests, law school aptitude tests, bar examinations or medical college admissions tests, or similar instruction for test preparation. (3-23-22)~~

~~f. An individual or entity offering only workshops or seminars lasting no longer than three (3) calendar days and offered no more than four (4) times per year. (3-23-22)~~

~~g. A parochial or denominational institution providing instruction or training relating solely to religion and for which degrees are not granted. (3-23-22)~~

~~h. An individual or entity that offers postsecondary credit through a consortium of public and private colleges and universities under the auspices of the Western Governors University. (3-23-22)~~

~~ia. An individual or entity that offers flight instruction and that accepts payment for services for such training on a per flight basis after the training occurs, or that accepts advance payment or a deposit for such training in a de minimus amount equal to or less than fifteen (15) percent of the total course or program cost. (3-23-22)~~

~~**05. Application.** A proprietary school that is required to register under this rule must submit to the Board office an application for registration (either an application for initial registration, or renewal of registration, as applicable), on a form provided by the Board office. The application must include a list of each course or courses of study the applicant school intends to conduct, provide, offer or sell in Idaho during the registration year. (3-23-22)~~

~~**06. Registration Fees.** The Board shall assess an annual registration fee for initial registration or renewal of registration. The registration fee must accompany the application for registration, and shall be one half of one percent (.5%) of the gross Idaho tuition revenue of the school 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). The school shall~~

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~~provide documentation to substantiate the amount of revenue reported. Registration fees are nonrefundable.~~

~~(3-23-22)~~

~~**07. Deadline for Registration.** An initial application for registration may be submitted to the Board at anytime. A school should expect the Board review process for an initial registration to take approximately three (3) to five (5) months. An application for renewal of registration must be submitted to the Board on or before the first business day of May that precedes the registration year. The renewal will be processed within thirty (30) days. Institutions that do not adhere to this schedule and whose renewals are not processed by July 1st must cease all active operations until approval of registration is received.~~

~~(3-23-22)~~

~~**0843. Application Information Required.** Such application must include all the information requested on the application form. In addition to providing the information requested on the application form, a school must attest by signature of the primary official on the application form that it is in compliance with Standards I through V set forth in Section 301 of this rule and must provide verification of compliance with Standards I through V set forth in Section 301 of this rule upon request. The Board may, in connection with a renewal of registration, request that a school only submit information that documents changes from the previous year, provided that the school certifies that all information and/or documentation submitted in a previous registration year remains current. The annual registration fee, described in Subsection 300.06 of this rule, shall remain applicable.~~

~~(3-23-22)~~

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

b. The ownership of the school, its agents, and all school officials must be identified by name and title. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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.

(3-15-22)

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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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

b. There must be a clearly defined policy to re-evaluate students dismissed from the school and, if appropriate, to readmit them. (3-15-22)

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. (3-15-22)

d. Prior to enrollment, all prospective students must receive the following information in writing: (3-15-22)

i. Information describing the purpose, length, and objectives of the courses or courses of study; (3-15-22)

ii. Completion requirements for the courses or courses of study; (3-15-22)

iii. The schedule of tuition, fees, and all other charges and all expenses necessary for completion of the courses or courses of study; (3-15-22)

iv. Cancellation and refund policies; (3-15-22)

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

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- vi. The calendar of study including registration dates, beginning and ending dates for all courses, and holidays; (3-15-22)
- vii. A complete list of instructors and their qualifications; (3-15-22)
- viii. A listing of available student services; and (3-15-22)
- 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. (3-15-22)
- 04. Standard IV - Faculty/Instructor Qualifications and Compensation. (3-15-22)**
 - a. Instructor qualifications (training and experience) must be recorded and available to students. (3-15-22)
 - b. There must be a sufficient number of full-time instructors to maintain the continuity and stability of courses. (3-15-22)
 - c. The ratio of instructors to students in each course must be sufficient to assure effective instruction. (3-15-22)
 - d. Commissions may not be used for any portion of the faculty compensation. (3-15-22)
 - e. Procedures for evaluating instructors must be established. Provisions for student evaluation are recommended. (3-15-22)
- 05. Standard V - Resources, Finance, Facilities, and Instructional Resources. (3-15-22)**
 - 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. (3-15-22)
 - 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. (3-15-22)
 - 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. (3-15-22)
 - 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. (3-15-22)
 - 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. (3-15-22)

~~302. THE BOARD MAY NOTIFY THE PROPRIETARY SCHOOL OF ADDITIONAL INFORMATION REQUIRED.~~

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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. (3-15-22)

~~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. (3-15-22)

~~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. (3-15-22)

~~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. (3-15-22)

~~04. Certificate of Registration or Exemption.~~ (3-15-22)

~~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. (3-15-22)

~~b.~~ An institution exempt from registration under these rules may request a certificate of exemption. (3-15-22)

~~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. (3-15-22)

~~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. (3-15-22)

~~06. Withdrawal of Approval.~~ (3-15-22)

~~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." (3-15-22)

~~b.~~ Withdrawal of approval may be for one (1) or more of the following reasons: (3-15-22)

~~i.~~ Violation of Chapter 24, Title 33, Idaho Code or this rule. (3-15-22)

~~ii.~~ Providing false, misleading, deceptive, or incomplete information to the Board. (3-15-22)

~~iii.~~ Presenting to prospective or current students information about the school which is false, fraudulent, misleading, deceptive, or inaccurate in a material respect; or (3-15-22)

~~iv.~~ Refusing to allow reasonable inspection or to supply reasonable information after a written request by the Board has been received. (3-15-22)

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~~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 event. (3-15-22)~~

302. ADDITIONAL REQUIREMENTS

071. 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. (3-15-22)

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: (3-15-22)

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. (3-15-22)

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. (3-15-22)

iii. The injury or death of a child, Section 18-1501, Idaho Code. (3-15-22)

iv. The sexual abuse of a child under sixteen (16) years of age, Section 18-1506, Idaho Code. (3-15-22)

v. The ritualized abuse of a child under eighteen (18) years of age, Section 18-1506A, Idaho Code. (3-15-22)

vi. The sexual exploitation of a child, Section 18-1507, Idaho Code. (3-15-22)

vii. Possession of photographic representations of sexual conduct involving a child, Section 18-1507A, Idaho Code. (3-15-22)

viii. Lewd conduct with a child under the age of sixteen (16) years, Section 18-1508, Idaho Code. (3-15-22)

ix. The sexual battery of a minor child sixteen (16) or seventeen (17) years of age, Section 18-1508A, Idaho Code. (3-15-22)

x. The sale or barter of a child for adoption or other purposes, Section 18-1511, Idaho Code. (3-15-22)

xi. The murder of a child, Section 18-4003, Idaho Code, or the voluntary manslaughter of a child, Section 18-4006 1., Idaho Code. (3-15-22)

xii. The kidnapping of a child, Section 18-4502, Idaho Code. (3-15-22)

xiii. The importation or exportation of a juvenile for immoral purposes, Section 18-5601, Idaho Code. (3-15-22)

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xiv. The abduction of a person under eighteen (18) years of age for prostitution, Section 18-5610, Idaho Code. (3-15-22)

xv. The rape of a child, Section 18-6101 or 18-6108, Idaho Code. (3-15-22)

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. (3-15-22)

082. Surety Bond. Each proprietary school shall comply with the provisions in Section 33-2406, Idaho Code, relating to a surety bond. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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: (3-15-22)

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.” (3-15-22)

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. (3-15-22)

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

(3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

501. -- 999. (RESERVED)

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SUBJECT

Proposed Rule – Docket No. 08-0113-2201, Rules Governing the Opportunity Scholarship Program

REFERENCE

August 31, 2017	Board approved proposed rule Docket 08-0113-1701, Rules Governing the Opportunity Scholarship, making technical corrections and clarifying that GPAs of more than one decimal place will be rounded up.
November 2017	Board approved pending rule Docket 08-0113-1701.
April 2018	Board approved temporary rule Docket 08-0113-1801, establishing provision for the Opportunity Scholarship to be used for “Adult Learners.”
August 2018	Board approved proposed rule Docket 08-0113-1802 establishing provision for the Opportunity Scholarship for Adult Learners.
November 2018	Board vacated proposed rule Docket 08-0113-1802 and directed staff to bring back a version allowing certificates to be stackable during the 2019-2020 rulemaking cycle.
August 2019	Board approved proposed rule lower the minimum GPA requirement and adding provisions for adult learners, Docket 08-0113-1901.
November 2019	Board approved omnibus pending rule, Docket 08-0000-1900 reauthorizing all non-fee administrative rules in IDAPA 08 incorporating in the proposed amendments from Docket 08-0113-1901.
June 2021	Board approved omnibus temporary rule, Docket 08-0000-2100 reauthorizing all non-fee administrative rules in IDAPA 08.
October 2021	Board approved proposed Omnibus rule, Docket 08-0000-2100, incorporating proposed rules approved in August 2021.
November 2021	Board approved pending Omnibus rule, Docket 08-0000-2100.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-4303, Idaho Code
Idaho Administrative Code, IDAPA 08.01.13, Rules Governing the Opportunity Scholarship
Executive Order 2020-01

BACKGROUND/DISCUSSION

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

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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

For the 2022-2023 rulemaking cycle the following rules were identified for review, IDAPA 08.01.11, 08.01.13 and 08.02.03. Additionally, staff were asked to accelerate the review of the two charter school sections of rule and look at how they could be combined into a single section. In addition to these sections of rule being reviewed, DFM and the State Office of Administrative Rules have enacted new procedures requiring any rulemaking within a chapter to be consolidated in a single Docket. In past years the Board could consider multiple rule Dockets from the same IDAPA chapter in different dockets, based on each subject contained in that chapter. As an example, in the past the Board could consider a Docket amending IDAPA 08.02.01.100 and a separate Docket with amendments to IDAPA 08.02.01.800. Now all amendments to IDAPA 08.02.01 must be consolidated in a single Docket for IDAPA 08.02.01.

The Zero Based Regulations review process requires each agency and board to 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 where possible.

IDAPA 08.01.13, Rules Governing the Opportunity Scholarship Program sets out the eligibility and application requirements for the Opportunity Scholarship, as authorized by Section 33-4303, Idaho Code. In addition to removing language that is duplicative of provisions established in Section 33-4303, Idaho Code, or can be established through Board policy, proposed amendments incorporate feedback provided to the Board's scholarship program staff from institution staff responsible for administering scholarships. The proposed amendments do not incorporate all of the requested amendments. Additional requested amendments included removing, in its entirety, the requirement for satisfactory academic program for renewal of the scholarship. The primary justification for this amendment was use of this term for federal financial aid purposes when renewal students are not required to resubmit the Free Application for Federal Student Aid (FAFSA). This requirement has been amended to use different terminology and provide additional clarification that it is progress toward earning a credential and not necessarily tied to federal aid. Additional, requests included:

- removing the college entrance exam requirement for students who have taken the GED. This requirement is used to provide GPA equivalency for these students. Without this requirements these students would be forced

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to use their last reported secondary GPA to determine if they meet the merit requirement for eligibility and could disadvantage these students; and

- removing the requirement that the cumulative GPA used for determining continuing eligibility be the GPA earned while receiving the scholarship. The amendment has been incorporated in order to receive feedback during the public comment period. The requirement initially was included iso that Adult Learner students would not be disadvantaged based on GPAs that were a result of the circumstances that led to them stopping out of college originally.

IMPACT

The proposed rule will streamline the language currently established in IDAPA 08.01.13. The approval of this proposed rule will allow the rule to be published in the Administrative Bulletin, at which time the 21-day public comment period will start.

ATTACHMENTS

Attachment 1 – Proposed Rule Docket No. 08-0113-2201

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules, temporary rules, proposed rules and pending rules. Temporary and proposed rules may be promulgated jointly with a single docket number or temporary rules may be promulgated as a standalone rule. The Notice of Intent to Promulgate Rules was published in the July 6, 2022 (Vol 22-7) Idaho Administrative Rules Bulletin.

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 received comments 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 consideration. Once approved, pending rules will be submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected by the Legislature.

Staff recommends approval.

BOARD ACTION

I move to approve proposed rule – Docket 08-0113-2201, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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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 Section 33-4303. (3-15-22)

001. SCOPE.

These rules constitute the requirements for the Opportunity Scholarship Program. (3-15-22)

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Adult Learner. An individual who: (3-15-22)

a. Is not currently enrolled in a postsecondary institution accredited by a body recognized by the State Board of Education; (3-15-22)

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 (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

011. -- 100. (RESERVED)

101. ELIGIBILITY.

Applicants must meet all of the eligibility requirements to be considered for the scholarship award. (3-15-22)

~~**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. (3-15-22)~~

012. Academic Eligibility. To be eligible for an opportunity scholarship, an applicant must meet minimum academic eligibility criteria, as follows: (3-15-22)

a. A student who has not yet graduated from [an eligible](#) 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 (3-15-22)

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b. A student who has obtained a general equivalency diploma must have taken the ACT assessment and received a minimum composite score of twenty (20) or better, or the equivalent SAT assessment and received a one thousand ten (1,010) or better, to be academically eligible to apply for an opportunity scholarship; or (3-15-22)

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. (3-15-22)

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. (3-15-22)

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 [free application for federal student aid \(FAFSA\)](#) Student Aid report. The Student Aid report used to calculate financial need will be the report generated on the [scholarship](#) application deadline. (3-15-22)

04. Additional Eligibility Requirements. (3-15-22)

a. A student must not be in default on a student educational loan, or owe a repayment on a federal grant, and must be in good financial standing with the opportunity scholarship program. (3-15-22)

b. If a student has attempted or completed more than one hundred ~~and twenty (100)~~ [and twenty \(120\)](#) postsecondary ~~academic~~ credits, then such student must identify ~~his or her~~ [a](#) major, the required number of credits necessary for graduation in such major, and shall submit an academic transcript that contains all courses taken and all postsecondary ~~academic~~ credit received to the Board office. A student shall not be eligible for an opportunity scholarship if: (3-15-22)

~~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; (3-15-22)~~

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 (3-15-22)

iii. Upon review of the student's academic transcript(s), the student cannot complete ~~their~~ [a](#) 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. (3-15-22)

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 t~~he FAFSA [must be completed](#) on or prior to the application deadline. (3-15-22)

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02. Announcement of Award. Announcement of the award of initial scholarships will be made no later than June 1 of each year, with awards to be effective at the beginning of the first full term following July 1 of that year. Announcements must clearly state the award is part of the state's scholarship program and is funded through state appropriated funds. Additional award announcement may be made after this date based on the availability of funds and the acceptance rate of the initial awards. (3-15-22)

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. (3-15-22)

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: (3-15-22)

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~~an application to the Board ~~earliest~~earlier in time will be assigned a higher rank. (3-15-22)

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. (3-15-22)

02. Monetary Value of the Opportunity Scholarship. (3-15-22)

~~**a.** The Board will establish annually the educational costs for attending an eligible Idaho postsecondary educational institution for purposes of the opportunity scholarship program. (3-15-22)~~

ba. 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: (3-15-22)

i. The amount of the assigned student responsibility, established by the Board annually; (3-15-22)

ii. The amount of federal grant aid, as identified by the Student Aid Report (SAR) that is known at the time of award determination; (3-15-22)

iii. The amount of other financial aid awarded the student, from private or other sources that is known at the time of award determination. (3-15-22)

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: (3-15-22)

(1) Enrolled in six (6) to eight (8) credits or its equivalent per term - fifty percent (50%) of the maximum; (3-15-22)

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(2) Enrolled in nine (9) to eleven (11) credits or its equivalent per term - seventy-five percent (75%) of the maximum; and (3-15-22)

(3) Enrolled in twelve (12) or more credits or its equivalent per term - one hundred percent (100%) of the maximum. (3-15-22)

e.b. 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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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~~ and accept the renewal award by the date set by the Executive Director: (3-15-22)

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. (3-15-22)

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~~ toward their identified postsecondary credential as determined by the institution they are enrolled in. 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. (3-15-22)

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~~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. (3-15-22)~~

043. Eligibility Following Interruption of Continuous Enrollment. A scholarship recipient whose continuous enrollment is interrupted for more than four (4) months but less than two (2) years for any reason but who intends to re-enroll in an eligible Idaho postsecondary educational institution must file a letter of intent to withdraw no later than ~~sixty~~ thirty (60/30) 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~~ thirty (60/30) days prior to the start of the succeeding academic year.

(3-15-22)

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~~ the spring semester or equivalent term. 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.

(3-15-22)

02. Other Requirements. An eligible Idaho postsecondary educational institution must: (3-15-22)

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;

(3-15-22)

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;

(3-15-22)

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

(3-15-22)

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

(3-15-22)

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.

(3-15-22)

401. -- 500. (RESERVED)

501. APPEALS.

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An opportunity scholarship applicant or recipient adversely affected by a decision made under provisions of these rules may file a written appeal detailing the basis of the 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 Idaho. (3-15-22)

~~**01. Transmittal to Subcommittee.** If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the executive director of the Board within fifteen (15) days from the time the subcommittee receives the appeal document. The opportunity scholarship applicant or recipient initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal. (3-15-22)~~

~~**02. Subcommittee Recommendations.** Following the subcommittee's decision, the executive director of the Board will present the subcommittee's recommendation to the full Board at the next regularly scheduled meeting of the Board. The opportunity scholarship applicant or recipient initiating the appeal may, at the discretion of the executive director of the Board, be permitted to make a presentation to the Board. (3-15-22)~~

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. (3-15-22)

502. -- 999. (RESERVED)

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SUBJECT

Proposed Rule – Docket No. 08-0202-2201, Rules Governing Uniformity

REFERENCE

March 23, 2020	Board approved partial waiver of IDAPA 08.02.03.105, waiving the college entrance exam, senior project graduation requirements for students graduating in 2020 and administration of the ISAT for the 2020-2021 school year.
October 2020	Board approved partial waiver of IDAPA 08.02.03.105, waiving the senior project graduation requirement for students graduating in 2021.
December 2020	Board approved partial waiver of IDAPA 08.02.03.105, waiving the requirement the college entrance exam requirement for students graduating in 2021.
A 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 Omnibus rule, Docket 08-0000-2100, incorporating proposed rules approved in August 2021.
November 2021	Board approved pending Omnibus rule, Docket 08-0000-2100.
June 2022	Board approved temporary rule, Docket 08-0203-2202, amending the assessment section to account for administering assessments at the high school level using a modified cohort model.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative Code, IDAPA 08.02.02, Rules Governing Uniformity
Executive Order 2020-01

BACKGROUND/DISCUSSION

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

For the 2022-2023 rulemaking cycle the following rules were identified for review, IDAPA 08.01.11, 08.01.13 and 08.02.03. Additionally, staff were asked to

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accelerate the review of the two charter school sections of rule and look at how they could be combined into a single section. In addition to these sections of rule being reviewed, DFM and the State Office of Administrative Rules have enacted new procedures requiring any rulemaking within a chapter to be consolidated in a single Docket. In past years the Board could consider multiple rule Dockets from the same IDAPA chapter in different dockets, based on each subject contained in that chapter. As an example, in the past the Board could consider a Docket amending IDAPA 08.02.01.100 and a separate Docket with amendments to IDAPA 08.02.01.800. Now all amendments to IDAPA 08.02.01 must be consolidated in a single Docket for IDAPA 08.02.01.

The Zero Based Regulations review process requires each agency and board to 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 where possible.

IDAPA 08.02.02, Rules Governing Uniformity, sets out provisions for establishing a uniform system of public education. These requirements include, educator certification requirements, educator preparation program requirements, educator ethics requirements, performance evaluation framework, transportation standards, etc. In addition to those amendments identified as part of the Zero Based Regulations process, the following additional amendments are being proposed:

- Amendments to the Standards for Idaho School Bus Operations, incorporated by reference, expanding eligible miles for trips outside of Idaho from 100 miles to 200 miles and requiring school district to evaluate school bus proximity to registered sex offenders residences at least once a year.
- Update career technical education administrator certificate requirements to provide an additional avenue for non-CTE certified administrators to add the CTE administrator endorsement to their credential
- Assure that career technical education certified candidates using alternative authorization have the necessary background to teach career technical programs and provide clarification to the alternative authorization process.

IMPACT

Approval of the proposed amendments will allow the proposed changes to go out for public comment.

ATTACHMENTS

Attachment 1 – Standards for Idaho School Buses and Operations
Attachment 2 – Proposed Rule Docket No. 08-0202-2201

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BOARD STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules, temporary rules, proposed rules and pending rules. Temporary and proposed rules may be promulgated jointly with a single docket number or temporary rules may be promulgated as a standalone rule. The Notice of Intent to Promulgate Rules was published in the July 6, 2022 (Vol 22-7) Idaho Administrative Rules Bulletin.

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 received comments 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 consideration. Once approved, pending rules will be submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected by the Legislature.

Staff recommends approval.

BOARD ACTION

I move to approve the Standards for Idaho School Buses and Operations, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

I move to approve proposed rule – Docket 08-0202-2201, as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

STANDARDS FOR IDAHO SCHOOL BUSES AND OPERATIONS

RULE BY REFERENCE IDAPA 08.02.02.004.02

Approved by the State Board of Education

~~11/15/2017~~ August 24, 2022

STUDENT TRANSPORTATION PROGRAM

650 W STATE STREET, 2ND FLOOR
BOISE, IDAHO 83702
(208) 332-6800 OFFICE
WWW.SDE.IDAHO.GOV

~~EFFECTIVE JULY 1, 2018~~

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ATTACHMENT 1

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Appendix A

SDE Field Trip Flow Chart

I STANDARDS FOR IDAHO SCHOOL BUSES AND OPERATIONS

(IDAPA 08.02.02.004.02)

INTRODUCTION TO SCHOOL BUS CONSTRUCTION STANDARDS

- A. This edition of Standards for Idaho School Buses and Operations – July 1, 2017, is based on the latest report from the Sixteenth National Congress on School Transportation, Des Moines, Iowa, May 2015, (National School Transportation Specifications & Procedures) and Title 33, Chapter 15, Idaho Code.
- B. This portion of Standards for Idaho School Buses and Operations – July 1, 2017, is divided into five sections: Idaho School Bus Standards, Standards for Specially Equipped School Buses, Standards for Alternative Fuel for School Buses, and Removal from Service Criteria and Student Transportation Operations.
- C. For new vehicles, it is the responsibility of the vehicle manufacturers to certify compliance with applicable federal standards by installing a certification plate in the driver's area on each vehicle. However, as the vehicle is maintained over its useful life, it is the responsibility of those who supervise and perform work on the vehicle to assure on-going compliance with all applicable standards. When routine maintenance checks reveal any unsafe condition as defined in these standards, the school district will remove the vehicle from service and will eliminate the deficiency before returning the vehicle to service. For this reason, maintenance personnel training, quality components, quality workmanship and thorough maintenance records are essential.

STATUTORY AUTHORITY

- A. The State Board of Education (SBOE) shall adopt, publish and distribute, and from time to time as need therefore arises, amend minimum standards for the construction of school buses, the basis of which standards shall be those incorporated in the latest report of the National Conference on School Transportation, which report shall be filed with the Idaho State Police (Section 33-1511, Idaho Code).
- B. All school buses shall at all times conform to the standards of construction prescribed therefore by the SBOE. Before any newly acquired school bus is used for transporting students, it shall be inspected by a duly authorized representative of the State Department of Education (SDE). If, upon inspection, it conforms to prescribed standards of construction, or such other standards prescribed by law or regulation, it may be used for transporting students; otherwise, no such school bus shall be used for that purpose. The board of trustees of each school district shall provide for an annual inspection of all school buses by district personnel or upon contract at intervals of not more than twelve (12) months. The district, over the signature of the superintendent, shall file with the SDE its report of inspection of the school buses operated by the authority of the school district. At intervals of not more than sixty (60) days during each school year, the board of trustees shall cause inspection to be made of all school buses operating under the authority of the board. In addition, the SDE shall conduct random spot inspections of school buses throughout the school year. Whenever any school bus is found, upon inspection, to be deficient in any of the prescribed standards, or is found in any way to be unsafe or unfit for the transportation of students, such vehicle shall be withdrawn from service and shall not be returned to service until the district certifies the necessary repairs have been made (Section 33-1506, Idaho Code).
- C. Section 33-1506, Idaho Code, requires the filing of inspections to the SDE of all school buses as defined in Sections 49-120(5) and 33-1504, Idaho Code. School buses shall not be removed from SDE inventory unless the bus is being decommissioned in accordance with Section 49-1422, Idaho Code.
- D. Administrative Rules of the State Board of Education: Idaho Administrative Procedures Act (IDAPA) 08.02.02.004.02, 08.02.02.150 and 08.02.02.160.

RESPONSIBILITIES OF SUPPLIERS

Delivery Requirements: The school bus manufacturer shall provide the following materials to the purchaser of a new school bus at the time the unit is delivered to the purchasing school district or contractor. Also, the new school bus dealer, school district or contractor shall temporarily provide the following materials to the state school bus inspector at the time the unit undergoes its new school bus state inspection:

- A. Line set tickets for each bus built;
 - B. A copy of a completed pre-delivery inspection (PDI) form for each individual unit;
 - C. Warranty book and statement of warranty for each individual unit
(Note: All warranties shall commence on the day that the purchaser accepts possession of the completed bus);
 - D. Service manual (or related resource) for each individual unit or group of identical units;
 - E. Parts manual (or related resource) for each individual unit or group of identical units; and
 - F. A copy of district bid specifications with the dealerships comments.
- A.

DEFINITIONS

A. NATIONAL SCHOOL TRANSPORTATION SPECIFICATIONS & PROCEDURES – SCHOOL BUS TYPES

1. Type A

A Type "A" school bus is a van conversion or bus constructed utilizing a cutaway front-section vehicle with a left side driver's door. The entrance door is behind the front wheels. This definition includes two (2) classifications: Type A-1, with a Gross Vehicle Weight Rating (GVWR) less than or equal to fourteen thousand five hundred (14,500) pounds; and Type A-2, with a GVWR greater than fourteen thousand five hundred (14,500) pounds and less than or equal to twenty-one thousand five hundred (21,500) pounds.

2. Type C

A Type "C" school bus is constructed utilizing a chassis with a hood and front fender assembly. The entrance door is behind the front wheels also known as a conventional style school bus. This type also includes a truck chassis with a GVWR greater than twenty-one thousand five hundred (21,500) pounds.

3. Type D

A Type "D" school bus is constructed utilizing a stripped chassis. The entrance door is ahead of the front wheels also known as a rear engine or front engine transit style school bus.

B. CODE OF FEDERAL REGULATIONS, 49 CFR PART 390.5 - DEFINITIONS

1. **Bus** means any motor vehicle designed, constructed, and/or used for the transportation of passengers, including taxicabs.
2. **School bus** means a passenger motor vehicle, which is designed or used to carry more than ten (10) passengers in addition to the driver, and which the U.S. Secretary of Transportation determines is likely to be significantly used for the purpose of transporting preprimary, primary, or secondary school students to such schools from home or from such schools to home.
3. **School bus operation** means the use of a school bus to transport only school children and/or personnel from home to school and from school to home.

C. SECTION 33-1504, IDAHO CODE - SCHOOL BUSES

A motor vehicle shall be deemed a "school bus" when it has a seating capacity of more than ten (10) persons and meets the current national and state minimum standards for school bus construction, and is owned and operated by a school district or a common carrier and is used exclusively for transporting students, or is owned by a transportation contractor and is used regularly for transporting students.

D. SECTION 49-120 (5), IDAHO CODE – SCHOOL BUSES

"School bus" means every motor vehicle that complies with the color and identification requirements set forth in the most recent edition of "Minimum Standards for School Buses" and is used to transport children to or from school or in connection with school approved activities and includes buses operated by contract carriers.

E. TECHNOLOGY AND EQUIPMENT, NEW

1. It is the intent of these standards to accommodate new technologies and equipment that will better facilitate the transportation of all students. When a new technology, piece of equipment or component is desired to be applied to the school bus and it meets the following criteria, it may be acceptable.
2. The technology, equipment or component shall not compromise the effectiveness or integrity of any major safety system, unless it completely replaces the system. (Examples of safety systems include, but are not limited to, compartmentalization, the eight-lamp warning system, emergency exits, and the yellow color scheme.)
3. The technology, equipment or component shall not diminish the safe environment of the interior of the bus.
4. The technology, equipment or component shall not create additional risk to students

- who are boarding or exiting the bus or are in or near the school bus loading zone.
5. The technology, equipment or component shall not create undue additional activity and/or responsibility for the driver.
 6. The technology, equipment or component shall generally increase efficiency and/or safety of the bus, or generally provide for a safer or more pleasant experience for the occupants and pedestrians in the vicinity of the bus or generally assist the driver or make his/her many tasks easier to perform.

WAIVERS

The State Board of Education (SBOE) may grant a waiver of any construction standard not required by state or federal law to any school district, school bus manufacturer, or school bus dealer upon written request. Written requests shall be submitted to the State Department of Education Student Transportation staff which shall make an appropriate recommendation to the SBOE. The Board will not grant waivers of any construction standard required by state or federal law. State and federal law includes case law (including consent decrees), statutes, constitutions, and federal regulations (Section 33-1506, Idaho Code, IDAPA 08.02.01.001).

II IDAHO SCHOOL BUS STANDARDS

A. AIR CLEANER

1. A dry element type air cleaner shall be provided.
2. All diesel engine air filters shall include a latch-type restriction indicator that retains the maximum restriction developed during operation of the engine. The indicator should include a reset control so the indicator can be returned to zero when desired. Type A buses are not exempt from this requirement.

B. AIR CONDITIONING (NON-REIMBURSABLE OPTION – SEE EXCEPTION)

1. Air conditioning must meet the requirements cited in the bus body standards under “Heaters and Air Conditioning Systems.”
2. Reimbursement Exception: Air conditioning shall be reimbursable under the student transportation support program when the school district can demonstrate a need subsequent to Individuals with Disabilities Education Act (IDEA) mandated related service and where a cooling vest would not be sufficient.

C. AISLE

All emergency exit doors shall be accessible by a twelve (12) inch minimum aisle. The aisle shall be unobstructed at all times by any type of barrier, seat, wheelchair or tie down. Flip seats are not allowed.

D. AXLES

The front and rear axle and suspension systems shall have gross axle weight rating (GAWR) at ground commensurate with the respective front and rear weight loads of the bus loaded to the rated passenger capacity.

E. BACK-UP WARNING ALARM

An automatic audible alarm shall be installed behind the rear axle, providing a minimum of 112 dBA, and shall comply with the published Backup Alarm Standards [Society of Automotive Engineers (SAE) J994B].

F. BATTERY

Buses may be equipped with a battery shut-off switch. The switch is to be placed in a location not readily accessible to the driver or passengers.

G. BRAKES (GENERAL)

1. The brake system shall conform to the provisions of the Federal Motor Vehicle Safety Standards (FMVSS) No. 105, No. 106 and No. 121 as applicable. All buses shall have either a parking pawl in the transmission or a park brake interlock that requires the service brake to be applied to allow release of the parking brake.
2. The anti-lock brake system (ABS), provided in accordance with FMVSS No. 105 or No. 121, shall provide wheel speed sensors for each front wheel and for each wheel on at least one rear axle. The system shall provide anti-lock braking performance for each wheel equipped with sensors (Four Channel System).
3. All brake systems should be designed to permit visual inspection of brake lining wear without removal of any chassis component(s).
4. The brake lines, booster-assist lines, and control cables shall be protected from excessive heat, vibration and corrosion and installed in a manner which prevents chafing.
5. The parking brake system for either air or hydraulic service brake systems may be of a power assisted design. The power parking brake actuator should be a device located on the instrument panel within seated reach of a 5th percentile female driver (FMVSS No. 208). As an option, the parking brake may be set by placing the automatic transmission shift control mechanism in the "park" position.
6. The power-operated parking brake system may be electronically interlocked to the engine key switch. Once the parking brake has been set and the ignition switch turned to the "off" position, the parking brake cannot be released until the key switch is turned back to the "on" position.

H. BRAKES (HYDRAULIC)

Buses using hydraulic-assist brakes shall meet requirements of FMVSS No.105. Type A buses may be an Original Equipment Manufacturer (OEM) standard.

I. BRAKES (AIR)

The air pressure supply system shall include a desiccant-type air dryer installed according to the manufacturers' recommendations. The air pressure storage tank system may incorporate an automatic drain valve.

1. The manufacturer should provide an accessory outlet for air-operated systems. This outlet shall include a pressure protection valve to prevent loss of air pressure in the service brake reservoir.
2. For air brake systems, an air pressure gauge shall be provided in the instrument panel capable of complying with Idaho Commercial Driver's License (CDL) pre-trip inspection requirements.
3. Air brake-equipped buses may be equipped with a service brake interlock. If so equipped, the parking brake shall not release until the brake pedal is depressed.
4. Air brake systems shall include a system for anti-compounding of the service brakes and parking brakes.
5. Air brakes shall have both a visible and audible warning device whenever the air pressure falls below the level where warnings are required under FMVSS No. 121.

J. BUMPER (FRONT)

1. All school buses shall be equipped with a front bumper.
2. The front bumper shall be of pressed steel channel or equivalent material [except Type A-1 buses having a GVWR of fourteen thousand five hundred (14,500) pounds or less which may be OEM supplied] at least three-sixteenths (3/16) inch thick and not less than eight (8) inches wide (high). It shall extend beyond forward-most part of the body, grille, hood, and fenders and shall extend to outer edges of the fenders at the bumper's top line.
3. Type A buses having a GVWR of fourteen thousand five hundred (14,500) pounds or less may be equipped with an OEM-supplied front bumper. The front bumper shall be of sufficient strength to permit being pushed by another vehicle on a smooth surface with a five (5) degree (8.7 percent) grade, without permanent distortion. The contact point on the front bumper is intended to be between the frame rails, with as wide a contact area as possible if the front bumper is used for lifting, the contact points shall be under the bumper attachments to the frame rail brackets unless the manufacturer specifies different lifting points in the owner's manual. Contact and lifting pressures should be applied simultaneously at both lifting points.
4. Front bumper, except breakaway bumper ends, shall be of sufficient strength to permit pushing a vehicle of equal gross vehicle weight without permanent distortion to the bumper, chassis, or body.
5. A towing device (hooks, eyes, and bar) shall be furnished on all school bus types and attached so as not to project beyond the front bumper. Towing devices attached to the frame chassis shall be furnished by the chassis manufacturer. This installation shall be in accordance with the chassis manufacturer's specifications. Tow hooks or eyes shall have an individual strength rating of thirteen thousand five hundred (13,500) pounds each, for a combined rating of twenty-seven thousand (27,000) pounds. For pulling and lifting purposes, tow hooks are meant to be used simultaneously. For pulling, angularity applied to the tow hooks will decrease the capacities of the tow hooks.

(Note: Type A buses are exempt from this requirement for front tow hooks or eyes due to built-in crush zones.)

6. The bumper shall be designed or reinforced so that it will not deform when the bus is lifted by a chain that is passed under the bumper (or through the bumper if holes are provided for this purpose) and attached to the towing (Type A may be OEM) device(s). For the purpose of meeting this specification, the bus shall be empty and positioned on a level, hard surface and the towing device(s) shall share the load equally.

K. BUMPER (REAR)

1. The bumper on Type A-1 bus shall be a minimum of eight (8) inches wide (high) and Type A-2, C, and D bus bumper shall be a minimum of nine and one-half (9 ½) inches wide (high). The bumper shall be of sufficient strength to permit being pushed by another vehicle of similar size or lifted without permanent distortion.
2. The bumper shall wrap around back corners of the bus. It shall extend forward at least twelve (12) inches, measured from the rear-most point of the body at the floor line, and shall be flush-mounted to body sides or protected with an end panel.
3. The bumper shall be attached to the chassis frame in such a manner that it may be removed. It shall be braced to resist deformation of the bumper resulting from impact from the rear or side. It shall be designed to discourage hitching of rides by an individual.
4. The bumper shall extend at least one (1) inch beyond the rear-most part of the body surface measured at the floor line.
5. The bottom of the rear bumper shall not be more than thirty (30) inches above ground level.

L. CERTIFICATION

The “seller of the new bus”, upon request of the SDE Student Transportation Department, shall certify that its product meets all Idaho minimum construction standards (Standards for Idaho School Buses and Operations) for items not covered by the FMVSS certification requirements of 49 CFR Part 567.

M. COLOR

1. The chassis, including axle hubs and front bumper, shall be black. Body cowl, hood, and fenders shall be in national school bus yellow (NSBY). The flat top surface of the hood may be non-reflective black or non-reflective NSBY, according to School Bus Manufacturers Technical Council publication - 008.
2. The entire rub rail and body exterior paint trim shall be black. Entrance door exterior

- (excluding glass) shall be NSBY or black, or unpainted aluminum. Passenger and driver window frames shall be painted NSBY, black to match body trim, or shall be unpainted aluminum. The area between the passenger and driver window frames shall be NSBY.
3. Optionally, the roof of the bus may be painted white (non-reimbursable) except that the front and rear roof caps shall remain NSBY, according to National School Transportation Specifications & Procedures Placement of Reflective Markings. If required by automated painting processes a maximum three (3) inch black transition strip is allowed between the white roof cap and the NSBY body paint above the windows.
 4. Rims shall be gray or black.
 5. Multi-Function School Activity Buses (MFSABs) shall be exempt from these requirements.

N. COMMUNICATIONS

All school buses used to transport students shall be equipped with two-way voice communication or SDE pre-approved device other than CB radios.

O. CONSTRUCTION

1. **Side Intrusion Test:** The bus body shall be constructed to withstand an intrusion force equal to the curb weight of the vehicle, or exceed twenty thousand (20,000) pounds, whichever is less. Each vehicle shall be capable of meeting this requirement when tested in accordance with the procedures set forth below.
2. The complete body structure, or a representative seven-body section mock up with seats installed, shall be load-tested at a location twenty-four (24) inches plus or minus two (2) inches above the floor line, with a maximum ten (10) inch diameter cylinder, forty-eight (48) inches long, mounted in a horizontal plane.
3. The cylinder shall be placed as close as practical to the mid-point of the tested structure, spanning two (2) internal vertical structural members. The cylinder shall be statically loaded to the required force of curb weight or twenty thousand (20,000) pounds, whichever is less, in a horizontal plane with the load applied from the exterior toward the interior of the test structure. Once the minimum load has been applied, the penetration of the loading cylinder into the passenger compartment shall not exceed a maximum of ten (10) inches from its original point of contact. There can be no separation of lapped panels or construction joints. Punctures, tears or breaks in the external panels are acceptable but are not permitted on any adjacent interior panel.
4. Body companies shall certify compliance with this intrusion requirement, including test results, if requested.
5. Construction shall be reasonably dust-proof and watertight.

P. CROSSING CONTROL ARM (OPTIONAL)

1. Buses may be equipped with a crossing control arm mounted on the right side of the front bumper. This arm when opened shall extend in a line parallel with the body side and positioned on a line with the right side wheels.
2. All components of the crossing control arm and all connections shall be weatherproofed.
3. The crossing control arm shall incorporate system connectors (electrical, vacuum or air) at the gate and shall be easily removable to allow for towing of the bus.
4. The crossing control arm shall be constructed of noncorrosive or nonferrous material or treated in accordance with the body sheet metal specifications (see METAL TREATMENT).
5. There shall be no sharp edges or projections that could cause injury or be a hazard to students. The end of the arm shall be rounded.
6. The crossing control arm shall extend a minimum of seventy (70) inches (measured from the bumper at the arm assembly attachment point) when in the extended position.
7. The crossing control arm shall extend simultaneously with the stop arm(s) by means of the stop arm controls.
8. An automatic recycling interrupt switch should be installed for temporary disabling of the crossing control arm.
9. The assembly shall include a device attached to the bumper near the end of the arm to automatically retain the arm while in the stowed position. That device shall not interfere with normal operations of the crossing control arm.

Q. DEFROSTERS

1. Defrosting and defogging equipment shall direct a sufficient flow of heated air onto the windshield, the window to the left of the driver and the glass in the viewing area directly to the right of the driver to eliminate frost, fog and snow. Exception: The requirement of this standard does not apply to the exterior surfaces of double pane storm windows.
2. The defrosting system shall conform to SAE J381.
3. The defroster and defogging system shall be capable of furnishing heated, outside ambient air, except that the part of the system furnishing additional air to the windshield, entrance door and step well may be of the recirculating air type.
4. Auxiliary fans are not considered defrosting or defogging systems.

R. DOORS, ENTRANCE

1. The entrance door shall be in the driver's control, designed to afford easy release and

- to provide a positive latching device on manual operating doors to prevent accidental opening. When a hand lever is used, no part shall come together that will shear or crush fingers. Manual door controls shall not require more than twenty-five (25) pounds of force to operate at any point throughout the range of operation, as tested on a ten percent (10%) grade both uphill and downhill.
2. The entrance door shall be located on the right side of the bus, opposite and within direct view of driver.
 3. The entrance door shall have a minimum horizontal opening of twenty-four (24) inches and a minimum vertical opening of sixty-eight (68) inches.
 4. The entrance door shall be a split-type door and shall open outward.
 5. All entrance door glass shall be of approved safety glass. The bottom of each lower glass panel shall not be more than ten (10) inches from the top surface of the bottom step. The top of each upper glass panel when viewed from the interior shall not be more than three (3) inches below the interior door control cover or header pad.
 6. Vertical closing edges on entrance doors shall be equipped with flexible material to protect children's fingers.
 7. There shall be no door to left of driver on Type C or D vehicles. All Type A vehicles may be equipped with the chassis manufacturer's standard left-side door.
 8. All doors shall be equipped with padding at the top edge of each door opening. Padding shall be at least three (3) inches wide and one (1) inch thick and extend the full width of the door opening.
 9. On power-operated entrance doors, the emergency release valve, switch or device to release the entrance door must be placed above or to the immediate left or right of the entrance door and must be clearly labeled. The emergency valve, switch or device shall work in the absence of power.

S. DRIVE SHAFT

The drive shaft shall be protected by a metal guard or guards around the circumference of the drive shaft to reduce the possibility of its whipping through the floor or dropping to the ground, if broken.

T. ELECTRICAL SYSTEM

1. Battery
 - a. The manufacturer shall securely attach the battery on a slide-out or swing-out tray in a closed, vented compartment in the body skirt or chassis frame so that the battery is accessible for convenient servicing from the outside. When in the stored position, the tray shall be retained by a securing mechanism capable of holding the tray [with battery(ies)] in position when subjected to a 5g load from any direction. The battery compartment door or cover if separate from the tray shall be hinged at

the front or top. It shall be secured by a positive operated latching system or other type fastener. The door may be an integral part of the battery slide tray. The door or cover must fit tightly to the body, and not present sharp edges or snagging points. Battery cables shall meet SAE requirements. Battery cables shall be of sufficient length to allow the battery tray to fully extend. Any chassis frame mounted batteries shall be relocated to a battery compartment on Type A buses.

- b. If equipped with a battery disconnect switch it shall not interfere with the backup portion of a hydraulic brake system.
2. Alternator
 - a. All Type A-2 buses with a GVWR of fifteen thousand (15,000) pounds or less shall have, at a minimum, a one hundred thirty (130) ampere alternator. Buses equipped with an electrically powered wheelchair lift and/or air conditioning shall be equipped with the highest rated capacity available from the chassis OEM.
 - b. Types A-2 buses over fifteen thousand (15,000) pounds GVWR and all Type C and D buses shall be equipped with a heavy-duty truck or bus-type alternator, having a minimum output rating of two hundred (200) amperes or higher, and should produce a minimum current output of fifty percent (50%) of the rating at engine idle speed.
 - c. All other buses than those described in 2.a. equipped with an electrically powered wheelchair lift and/or air conditioning shall have a minimum alternator output of two hundred forty (240) amperes and may be equipped with a device that advances the engine idle speed when the voltage drops to, or below, a pre-set level.
3. Wiring
 - a. All wiring shall conform to current Society of Automotive Engineers (SAE) standards.
 - b. All wiring shall use color and at least one other method of identification. The other method shall be either a number code or name code, and each chassis shall be delivered with a wiring diagram that illustrates the wiring of the chassis.
 - c. The chassis manufacturer shall install a readily accessible terminal strip or plug on the body side of the cowl or in an accessible location in the engine compartment of vehicles designed without a cowl. The strip or plug shall contain the following terminals for the body connections:
 - 1) Main 100-ampere body circuit;
 - 2) Tail lamps;
 - 3) Right turn signal;
 - 4) Left turn signal;
 - 5) Stop lamps;
 - 6) Back up lamps; and
 - 7) Instrument panel lamps (rheostat controlled).
 - d. Multiplex wiring is recommended and may exempt manufacturers from some of the above wiring standards.
4. Circuits
 - a. An appropriate identifying diagram (color plus a name or number code) for all chassis electrical circuits shall be provided to the body manufacturer for

- distribution to the end user.
- b. The headlamp system must be wired separately from the body-controlled solenoid.
- c. Multiplex wiring is recommended and may exempt manufacturers from some of the above circuitry standards.
- 5. Daytime Running Lamps (DRL)
A daytime running lamps system meeting chassis manufacturer's specifications shall be provided.
- 6. Switches: All control switches shall be labeled to identify their function.

U. EMERGENCY EXITS AND EMERGENCY EXIT ALARM SYSTEMS

1. Any installed emergency exits and all exit alarm systems shall comply with the requirements of FMVSS No. 217 and 49 CFR Part 571.217.
2. The upper portion of the emergency door shall be equipped with approved safety glazing, the exposed area of which shall be at least four hundred (400) square inches. The lower portion of the rear emergency doors on Types A-2, C, and D vehicles shall be equipped with a minimum of three hundred fifty (350) square inches of approved safety glazing.
3. There shall be no steps leading to an emergency door.
4. The words "EMERGENCY EXIT" in letters at least two (2) inches high shall be placed at the top of or directly above the emergency exit, on the panel above the top glass, both inside and outside the bus.
5. The emergency door(s) shall be equipped with padding at the top edge of each door opening. Padding shall be at least three (3) inches wide and one (1) inch thick, and shall extend the full width of the door opening.
6. There shall be no obstruction higher than one-quarter ($\frac{1}{4}$) inch across the bottom of any emergency door opening. Fasteners used within the emergency exit opening, shall be free of sharp edges or burrs.
7. Each school bus shall have the designation "Emergency Door" or "Emergency Exit," as appropriate, in letters at least five (5) centimeters high, of a color that contrasts with its background. For emergency exit doors, the designation shall be located at the top of, or directly above, the emergency exit door on both the inside and outside surfaces of the bus. Concise operating instructions describing the motions necessary to unlatch and open the emergency exit shall be located within (fifteen)15 centimeters of the release mechanism on the inside surface of the bus. These instructions shall be in letters at least one (1) centimeter high and of a color that contrasts with its background. [Examples: (1) Lift to Unlatch, Push to Open; (2) Turn Handle, Push Out to Open.] Outside may consist of a black arrow pointing in direction of handle travel. No other lettering shall obstruct or interfere with the placement of operation instructions mounted on the interior or exterior of the emergency exit door.
8. The rear emergency window shall have a lifting assistance device that will aid in lifting and holding the rear emergency window open.

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9. Each emergency exit door of a school bus shall be equipped with a positive door opening device that, after the release mechanism has been operated, bears the weight of the door; keeps the door from closing past the point at which the door is perpendicular to the side of the bus body, regardless of the body's orientation; and provides a means for release or override. The positive door opening device shall perform the functions of this section without the need for additional action beyond opening the door past the point at which the door is perpendicular to the side of the bus body (49 CFR Part 571.217, S.5.4.2.1(a) Emergency Exit Doors).
10. Types A, C, and D vehicles shall be equipped with a total number of emergency exits as follows for the indicated actual passenger capacity of vehicles. Exits required by FMVSS No. 217 may be included to comprise the total number of exits specified.

Number of Passengers	Number of Emergency Exits per Side	Number of Roof Hatches
0 - 42	1	1
43 - 78	2	2
79 - 90	3	2

11. Side emergency exit windows, when installed, may be vertically hinged on the forward side of the window. Operation instructions shall be clearly readable of a contrasting color, and be located within fifteen (15) centimeters of the release mechanism. No side emergency exit window will be located above a stop arm. Emergency exit doors, side emergency exit windows and emergency exit roof hatches shall be strategically located for optimal egress during an emergency evacuation of the bus.
12. Emergency exit doors shall include an alarm system that includes an audible warning device at the emergency door exit and also in the driver's compartment. Emergency exit side windows shall include an alarm system that includes an audible warning device in the driver's compartment. Roof hatches do not require an alarm system, but if so equipped, they must be operable and include an audible warning device in the driver's compartment.
13. Vandal lock may be installed. If applicable, the interlock and vandal lock shall be interconnected.

V. EMERGENCY EQUIPMENT

1. Fire extinguisher:
 - a. The bus shall be equipped with at least one (1) UL-approved pressurized, dry chemical fire extinguisher complete with hose. The extinguisher shall be mounted

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and secured in a bracket, located in the driver's compartment and readily accessible to the driver and passengers. A pressure gauge shall be mounted on the extinguisher and be easily read without moving the extinguisher from its mounted position. Fire extinguisher shall be mounted in such a way as to prevent the entanglement of clothing, backpack straps, drawstrings, etc.

- b. The fire extinguisher shall have a total rating of 2A10BC or greater. The operating mechanism shall be sealed with a type of seal (breakable) that will not interfere with the use of the fire extinguisher.
2. First aid kit:
 - a. The bus shall have an easily removable, metal moisture-proof and dustproof first aid kit sealed with a breakable type seal and mounted in the driver's compartment in a location that is physically accessible to all drivers. It shall be properly mounted and secured and identified as a first aid kit. First aid kit shall be mounted in such a way as to prevent the entanglement of clothing, backpack straps, drawstrings, etc.
 - b. Contents shall, at a minimum, include:
 - 1) Two (2) 1 inch x 2 1/2 yards adhesive tape;
 - 2) Twenty-four (24) sterile gauze pads, 3 inches x 3 inches;
 - 3) One-hundred (100) 3/4 inch x 3 inches adhesive bandages;
 - 4) Eight (8) 2 inch bandage compresses;
 - 5) Ten (10) 3 inch bandage compresses;
 - 6) Two (2) 2 inch x 6 feet sterile gauze roller bandages;
 - 7) Two (2) non-sterile triangular bandages approximately 39 inches x 35 inches x 54 inches with two (2) safety pins;
 - 8) Three (3) sterile gauze pads, 36 inches x 36 inches;
 - 9) Three (3) sterile eye pads;
 - 10) One (1) rounded-end scissors;
 - 11) One (1) mouth-to-mouth airway; and
 - 12) One (1) pair medical examination gloves.
 3. Body fluid clean-up kit:
 - a. Each bus shall have an easily removable metal and moisture-proof body fluid clean-up kit. It shall be sealed with a breakable type seal. It shall be properly mounted in the driver's compartment in a location that is physically accessible to all drivers and identified as a body fluid clean-up kit. Body fluid clean-up kit shall be mounted in such a way as to prevent the entanglement of clothing, backpack straps, drawstrings, etc.
 - b. Contents shall, at a minimum, include:
 - 1) One (1) pair medical examination gloves;
 - 2) Absorbent;
 - 3) One (1) scoop;
 - 4) One (1) scraper or hand broom;
 - 5) Disinfectant; and
 - 6) Two (2) plastic bags.
 4. Warning devices:

- Each school bus shall contain at least three (3) reflectorized triangle road warning devices that meet requirements in FMVSS No.125. The warning device(s) shall be enclosed in an approved box that shall be sealed with a breakable type seal. The warning device(s) and approved box shall be mounted in an accessible place within the driver's compartment of the bus and shall be mounted in such a way as to prevent the entanglement of clothing, backpack straps, drawstrings, etc.
5. Any of the emergency equipment may be mounted in an enclosed compartment, provided the compartment is labeled in not less than one (1) inch letters, identifying each piece of equipment contained therein.
 6. Tape(s) and silicone sealants do not meet breakable type seal requirement. Breakable type seal(s) shall be replaced as appropriate and necessary and also during every annual school bus inspection following a thorough inspection for deterioration and required contents.
 7. Ignitable flares and axes are not allowed on school buses.

W. EXHAUST SYSTEM

1. The exhaust pipe, muffler, tailpipe, and after treatment system shall be outside the bus body compartment and attached to the chassis so as not to damage any other chassis component.
2. The tailpipe shall be constructed of a corrosion-resistant tubing material at least equal in strength and durability to 16-gauge steel tubing of equal diameter. The tailpipe may be flush with, but shall not extend out more than two (2) inches beyond the perimeter of the body for side-exit pipe or the bumper for rear-exit pipe.
3. The tailpipe shall exit to the left or right of the emergency exit door in the rear of vehicle or to the left side of the bus in front or behind the rear drive axle. The tailpipe exit location on school bus Type A-1 may be according to the manufacturer's standard. The tailpipe shall not exit beneath any fuel filler location or beneath any emergency door. Exhaust may exit through the bumper.
4. Manufacturers shall furnish an exhaust system with tailpipe of sufficient length to exit the rear of the bus or at the left side of the bus body no more than eighteen (18) inches forward of the front edge of the rear wheel house opening. If designed to exit at the rear of the bus, the tailpipe shall extend at least five (5) inches beyond the end of the chassis frame. If designed to exit to the side of the bus, the tailpipe shall extend at least forty-eight and one-half (48½) inches [fifty-one and one-half (51½) inches if the body is to be one hundred two (102) inches wide] outboard from the chassis centerline. The tailpipe may be flush with or shall not extend more than two (2) inches beyond the perimeter of the body for side exit or the bumper for rear exit pipe. The exhaust system shall be designed such that exhaust gas will not be trapped under the body of the bus.
5. Type A may be furnished with the manufacturer's standard tailpipe configuration.
6. The exhaust system shall be adequately insulated from the fuel system.
7. The muffler shall be constructed of corrosion-resistant material.

8. Exceptions to Idaho exhaust system standards may be necessary in order to comply with changing federal emission standards on school buses. School bus manufacturers may submit a written request for an exception to an Idaho exhaust system standard to the SDE Student Transportation. Any exhaust system exception to standard request must be linked to federal emission standards rationale.
9. The design of the after treatment systems shall not allow active (non-manual) regeneration of the particulate filter during the loading and unloading of passengers. Manual regeneration systems will be designed such that unintentional operation will not occur.
10. For after treatment systems that require Diesel Exhaust Fluid (DEF) to meet federally mandated emissions:
 - a. The composition of DEF must comply with International Standard ISO 22241-1. Refer to engine manufacturer for any additional DEF requirements.
 - b. The DEF supply tank shall be sized to meet a minimum ratio of three (3) diesel fills to one (1) DEF fill.

X. FENDERS: FRONT-TYPE C VEHICLES

1. Total spread of outer edges of front fenders, measured at fender line, shall exceed total spread of front tires when front wheels are in straight-ahead position.
2. Front fenders shall be properly braced and shall not require attachment to any part of the body.

Y. FLOORS

1. The floor in the under-seat area, including tops of wheel housing, driver's compartment and toe board, shall be covered with rubber floor covering or equivalent, having a minimum overall thickness of 0.125 inch, and a calculated burn rate of 0.1 mm per minute or less, using the test methods, procedures and formulas listed in FMVSS No. 302. The driver's area on all Type A buses may be manufacturer's standard flooring and floor covering
2. The floor covering in the aisles shall be of aisle-type rubber or equivalent, wear-resistant and ribbed. Minimum overall thickness shall be 0.187 inch measured from tops of ribs.
3. The floor covering must be permanently bonded to the floor and must not crack when subjected to sudden changes in temperature. Bonding or adhesive material shall be waterproof and shall be a type recommended by the manufacturer of floor-covering material. All seams must be sealed with waterproof sealer.
4. On Types C and D buses, a flush-mounted, screw-down plate that is secured and sealed shall be provided to access the diesel or gasoline fuel tank sending unit and /or fuel pump. This plate shall not be installed under flooring material.

Z. FRAME

1. Any secondary manufacturer that modifies the original chassis frame shall provide a warranty at least equal to the warranty offered by the OEM, and shall certify that the modification and other parts or equipment affected by the modification shall be free from defects in material and workmanship under normal use and service intended by the OEM.
2. Frames shall not be modified for the purpose of extending the wheelbase.
3. Holes in top or bottom flanges or side units of the frame, and welding to the frame, shall not be permitted except as provided or accepted by chassis manufacturer.
4. Frame lengths shall be established in accordance with the design criteria for the complete vehicle.

AA. FUEL SYSTEM

1. Fuel tank (or tanks) having a minimum twenty-five (25) gallon capacity shall be provided by the chassis manufacturer. The tank shall be filled and vented to the outside of the body and the fuel filler should be placed in a location where accidental fuel spillage will not drip or drain on any part of the exhaust system.
2. Fuel lines shall be mounted to the chassis frame in such a manner that the frame provides the maximum possible protections from damage.
3. The fuel system shall comply with FMVSS No. 301.
4. Fuel tank(s) may be mounted between the chassis frame rails or outboard of the frame rails on either the left or right side of the vehicle.
5. The actual draw capacity of each fuel tank shall be, at a minimum, eighty-three percent (83%) of the tank capacity.
6. Installation of alternative fuel systems, including fuel tanks and piping from tank to engine, shall comply with all applicable fire codes in effect on the date of manufacture of the bus.
7. Installation of liquefied petroleum gas (LPG) tanks shall comply with the National Fire Protection Association, NFPA 58: Liquefied Petroleum Gas Code, 2014 Edition.
8. Installation of Compressed Natural Gas (CNG) containers shall comply with FMVSS No. 304, Compressed Natural Gas Fuel Container Integrity.
9. The CNG Fuel System shall comply with FMVSS No. 303, Fuel System Integrity of Compressed Natural Gas Vehicles.

BB. GOVERNOR

An electronic engine speed limiter shall be provided and set to limit engine speed, not to exceed the maximum revolutions per minute, as recommended by the engine manufacturer.

CC. HANDRAILS

At least one handrail shall be installed. The handrail shall be a minimum of one (1) inch diameter, and be constructed from corrosion resistant material(s). The handrail(s) shall assist passengers during entry or exit, and be designed to prevent entanglement, as evidenced by the passage of the National Highway Traffic Safety Administration (NHTSA) string and nut test, as defined in National School Transportation Specifications & Procedures School Bus Inspection.

DD. HEATERS AND AIR CONDITIONING SYSTEMS

The engine shall be capable of supplying coolant at a temperature of at least one hundred seventy degrees Fahrenheit (170° F) at the engine cooling thermostat opening temperature. The coolant flow rate shall be fifty (50) pounds per minute at the return end of thirty (30) feet of one (1) inch inside diameter automotive hot water heater hose, according to School Bus Manufacturers Technical Council (SBMTC) Publication - 001.

1. Heating System:

- a. The heater shall be hot water and/or combustion type, electric heating element, or heat pump.
- b. If only one heater is used, it shall be fresh-air or combination fresh-air and recirculation type.
- c. If more than one heater is used, additional heaters may be recirculating air type.
- d. The heating system shall be capable of maintaining bus interior temperatures as specified in SAE test procedure J2233.
- e. Auxiliary fuel-fired heating systems are permitted, provided they comply with the following:
 - 1) The auxiliary heating system fuel shall utilize the same type fuel as specified for the vehicle engine.
 - 2) The heater(s) may be direct hot air or connected to the engine's coolant system.
 - 3) An auxiliary heating system, when connected to the engine's coolant system, may be used to preheat the engine coolant or preheat and add supplementary heat to the bus's heating system.
 - 4) Auxiliary heating systems must be installed pursuant to the manufacturer's recommendations and shall not direct exhaust in such a manner that will endanger bus passengers.
 - 5) Auxiliary heating systems which operate on diesel fuel shall be capable of operating on #1, #2, or blended diesel fuel without the need for system adjustment.
 - 6) The auxiliary heating system shall be low voltage.
 - 7) Auxiliary heating systems shall comply with all applicable FMVSSs, including FMVSS No. 301, as well as with SAE test procedures.

- 8) All forced air heaters installed by body manufacturers shall bear a name plate that indicates the heater rating in accordance with SBMTC-001. Low profile heaters are not allowed within the clear floor area required to accommodate a wheelchair.
 - f. Portable heaters shall not be allowed
 - g. Heater hoses shall be adequately supported to guard against excessive wear due to vibration. The hoses shall not dangle or rub against the chassis or any sharp edges and shall not interfere with or restrict the operation of any engine function. Heater hoses shall conform to SAE J20c. Heater lines, cores and elements on the interior of bus shall be shielded to prevent scalding or burning of the driver or passengers. All heater hose shields shall completely cover all parts of the hose and connectors in such a way as to prevent burning subsequent to significant heat transferring to the shield. They shall not incorporate any openings that would allow a passenger to be injured by sharp edges or hot surfaces.
 - h. Each hot water system installed by a body manufacturer shall include one (1) shut-off valve in the pressure line and one (1) shut-off valve in the return line with both valves at the engine in an accessible location, except that on all Type A buses, the valves may be installed in another accessible location.
 - i. All heaters of hot water type in the passenger compartment shall be equipped with a device, installed in the hot water pressure line, which regulates the water flow to all passenger heaters. The device shall be conveniently operated by the driver while seated. The driver and passenger heaters may operate independently of each other for maximum comfort.
 - j. All combustion heaters shall be in compliance with current Federal Motor Carrier Safety Administration (FMCSA) Regulations.
 - k. Accessible bleeder valves of hot water type shall be installed in an appropriate place in the return lines of body company-installed heaters to remove air from the heater lines.
 - l. Access panels shall be provided to make heater motors, cores, elements, and fans readily accessible for service. An outside access panel may be provided for the driver's heater.
2. Air Conditioning (Non-Reimbursable Option Except When Driven By IEP)
- The following specifications are applicable to all types of school buses that may be equipped with air conditioning. This section is divided into two parts: Part 1 covers performance specifications, and Part 2 covers other requirements applicable to all buses.
- a. Part 1 - Performance Specifications:
The manufacturer shall provide test results that show compliance of standard systems. If the bid specifies, the manufacturer shall provide facilities for the user or user's representative to confirm that a pilot model of each bus design meets the above performance requirements.
 - b. Part 2 - Other Requirements:
 - 1) Evaporator cases, lines and ducting (as equipped) shall be designed in such a

manner that all condensation is effectively drained to the exterior of the bus below the floor level under all conditions of vehicle movement and without leakage on any interior portion of bus.

- 2) Any evaporator or ducting system shall be designed and installed so as to be free of injury-prone projections or sharp edges. Any ductwork shall be installed so that exposed edges face the front of the bus and do not present sharp edges.
- 3) On specially equipped school buses, the evaporator and ducting (if used) shall be placed high enough that they will not obstruct occupant securement shoulder strap upper attachment points. This clearance shall be provided along entire length of the passenger area on both sides of the bus interior to allow for potential retrofitting of new wheelchair positions and occupant securement devices throughout the bus.
- 4) The body may be equipped with insulation, including sidewalls, roof, firewall, rear, inside body bows and plywood or composite floor insulation to aid in heat dissipation and reflection.
- 5) All glass (windshield, entrance and emergency doors, side and rear windows) may be equipped with maximum integral tinting allowed by federal, state (Section 49-944, Idaho Code) or American National Standards Institute standards for the respective locations, except that windows rear of the driver's compartment, if tinted shall have approximately twenty-eight percent (28%) light transmission.
- 6) Electrical generating capacity shall be provided to accommodate the additional electrical demands imposed by the air conditioning system.
- 7) Roofs may be painted white to aid in heat dissipation, according to National School Transportation Specifications & Procedures Placement of Reflective Markings.

EE. HINGES

All exterior metal door hinges which do not have stainless steel, brass or nonmetallic hinge pins or other designs that prevent corrosion shall be designed to allow lubrication to be channeled to the center seventy-five percent (75%) of each hinge loop without disassembly.

FF. HORN

The bus shall be equipped with two (2) horns of standard make with each horn capable of producing a complex sound in bands of audio frequencies between two-hundred fifty (250) and two thousand (2,000) cycles per second and tested in accordance with SAE J-377.

GG. IDENTIFICATION

1. The body shall bear the words "SCHOOL BUS" in black letters at least eight (8) inches high on both front and rear of the body or on signs attached thereto. Lettering shall be placed as high as possible without impairment of its visibility. Letters shall conform to "Series B" of Standard Alphabets for Highway Signs. "SCHOOL BUS" lettering shall have a reflective background, or as an option, may be illuminated by backlighting.
2. MFSABs are exempt from these requirements.
3. Required lettering and numbering shall include:
 - a. School district owned vehicles will be identified with black lettering [minimum four (4) inches high] on both sides of the school bus using the district name and number listed in the Idaho Educational Directory. Contractor-owned school buses under contract with a school district must also comply with the same identification standards as district-owned buses and shall be identified by either the contractor or district name, as decided by the district.
 - b. Each district-owned or contracted school bus will be separately identified with its own number in two (2) places on each side of the bus in the logo panel/belt line using six (6) inch high black numbers. Numbers on the passenger side shall be as close to the first and last passenger windows as possible and on the driver's side as close to the stop arm and last passenger window as possible.
 - c. Unauthorized entry placards shall be displayed in the most visible location when observed by persons approaching the vehicle with the door in the open position. Permanence of the placard should be a consideration when choosing a location for attachment. Placard shall read as follows:

WARNING

IT IS UNLAWFUL TO:

Enter a school bus with the intent to commit a crime
Enter a school bus and disrupt or interfere with the driver
Refuse to disembark after ordered to do so by the driver
(Sections 18-113 and 18-1522, Idaho Code)

State Department of Education Student Transportation Section shall provide unauthorized entry placards.

4. Other lettering, numbering, or symbols, which may be displayed on the exterior of the bus, shall be limited to:
 - a. Bus identification number on the top, front and rear of the bus, in addition to the required numbering on the sides.
 - b. The location of the battery(ies) identified by the word "BATTERY" or "BATTERIES" on the battery compartment door in two (2) inch maximum lettering.
 - c. Symbols or letters not to exceed sixty-four (64) square inches of total display near the entrance door exterior displaying information for identification by the students of the bus or route served. No symbols, letters, or other signage shall be permitted on the first two passenger windows or on entrance door glass which may block or obscure clear visibility.

- d. All other signage must have prior written SDE approval.
- e. Manufacturer, dealer or school identification or logos displayed so as not to distract significantly from school bus body color and lettering specifications.
- f. Symbols identifying the bus as equipped for or transporting students with special needs (see Specially Equipped School Bus section).
- g. Lettering on the rear of the bus relating to school bus flashing signal lamps electronic warning sign or railroad stop procedures. This lettering shall not obscure or interfere with the operation instructions displayed on the exterior portion of the rear emergency exit door.
- h. Identification of fuel type in one (1) inch maximum lettering adjacent to the fuel filler opening.

HH. INSIDE HEIGHT

Inside body height shall be seventy-two (72) inches or more, measured metal to metal, at any point on longitudinal centerline from front vertical bow to rear vertical bow. Inside body height of Type A-1 buses shall be sixty-two (62) inches or more.

II. INSTRUMENTS AND INSTRUMENT PANEL

1. The chassis shall be equipped with the instruments and gauges listed below:

(Note: Telltale warning lamps in lieu of gauges are not acceptable, except as noted.)

- a. Speedometer;
- b. Tachometer

(Note: For Types C and D buses, a tachometer shall be installed so as to be visible to the driver while seated in a normal driving position);

- c. Odometer which will give accrued mileage (to seven digits), including tenths of a mile, unless tenths of a mile are registered on a trip odometer. Odometer shall be available to read without use of the vehicle's key;

- d. Voltmeter

(Note: An ammeter with graduated charge and discharge indications is permitted in lieu of a voltmeter; however, when used, the ammeter wiring must be compatible with the current flow of the system);

- e. Oil pressure gauge;
- f. Water temperature gauge;
- g. Fuel gauge;
- h. Upper beam headlamp indicator;
- i. Brake air pressure gauge (air brakes), brake indicator lamp (vacuum/hydraulic brakes), or brake indicator lamp (hydraulic/hydraulic)

(Note: A warning lamp indicator in lieu of gauge is permitted on a vehicle equipped with a hydraulic-over-hydraulic brake system);

- j. Turn signal indicator; and
- k. Intake heater indicator lamp where appropriate.
- 2. All instruments shall be easily accessible for maintenance and repair.
- 3. The instruments and gauges shall be mounted on the instrument panel so that each is clearly visible to the driver while seated in a normal driving position.
- 4. The instrument panel shall have lamps of sufficient candlepower to illuminate all instruments, gauges and shift selector indicator for the automatic transmission or as required by FMVSS No. 101.
- 5. Multi-function gauge (MFG) (Optional):
 - a. The driver must be able to manually select any displayable function of the gauge on a MFG whenever desired.
 - b. Whenever an out-of-limits condition that would be displayed on one or more functions of a MFG occurs, the MFG controller should automatically display this condition on the instrument cluster. This should be in the form of an illuminated telltale warning lamp as well as having the MFG automatically displays the out-of-limits indications. Should two or more functions displayed on the MFG go out of limits simultaneously, then the MFG should sequence automatically between those functions continuously until the condition(s) are corrected.
 - c. The use of a MFG does not relieve the need for audible warning devices, where required.

JJ. INSULATION (OPTIONAL)

- 1. If thermal insulation is specified, it shall be fire-resistant, UL approved, with minimum R-value of 5.5. Insulation shall be installed so as to prevent sagging.
- 2. If floor insulation is required, it shall be five-ply nominal five-eighths ($\frac{5}{8}$) inch thick plywood, and it shall equal or exceed properties of the exterior-type softwood plywood, C-D Grade, as specified in standard issued by U.S. Department of Commerce. When plywood is used, all exposed edges shall be sealed. Type A-1 buses may be equipped with nominal one-half ($\frac{1}{2}$) inch thick plywood or equivalent material meeting the above requirements. Equivalent material may be used to replace plywood, provided it has an equal or greater insulation R-value, deterioration, sound abatement and moisture resistance properties.

KK. INTERIOR

- 1. The interior of bus shall be free of all unnecessary projections, which include luggage racks and attendant handrails, to minimize the potential for injury. This specification requires inner lining on ceilings and walls. If the ceiling is constructed to contain lapped

- joints, the forward panel shall be lapped by rear panel and exposed edges shall be beaded, hemmed, flanged, or otherwise treated to minimize sharp edges. Buses may be equipped with a storage compartment for tools, tire chains and/or tow chains (see Storage Compartment.)
2. Non-reimbursable interior overhead storage compartments may be provided if they meet the following criteria:
 - a. Meet head protection requirements of FMVSS No. 222, where applicable;
 - b. Have a maximum rated capacity displayed for each compartment;
 - c. Be completely enclosed and equipped with latching doors which must be sufficient to withstand a force of five (5) times the maximum rated capacity of the compartment;
 - d. Have all corners and edges rounded with a minimum radius of one (1) inch or padded equivalent to door header padding;
 - e. Be attached to the bus sufficiently to withstand a force equal to twenty (20) times the maximum rated capacity of the compartment; and
 - f. Have no protrusions greater than one-quarter ($\frac{1}{4}$) inch.
 3. The driver's area forward of the foremost padded barriers will permit the mounting of required safety equipment and vehicle operation equipment. All equipment necessary for the operation of the vehicle shall be properly secured in such a way as to prevent the entanglement of clothing, backpack straps, drawstrings, etc.
 4. Every school bus shall be constructed so that the noise level taken at the ear of the occupant nearest to the primary vehicle noise source shall not exceed 85 dBA when tested according to National School Transportation Specifications & Procedures Noise Test Procedure.

LL. LAMPS AND SIGNALS

1. **Illumination Lamps**

Interior lamps shall be provided which adequately illuminate the aisle and step well. The step well lamps shall be illuminated by an entrance service door-operated switch, to illuminate only when headlamps and/or clearance lamps are on and the entrance door is open. An additional exterior mounted lamp shall be mounted next to the entrance door to adequately illuminate the outside approach to the door. It shall be actuated simultaneously with the step well lamps.
2. **Body Instrument Panel Lamps**

Body instrument panel lamps shall be controlled by an independent rheostat switch.
3. **School Bus Alternately Flashing Signal Lamps**
 - a. The bus shall be equipped with two (2) red lamps at the rear of the vehicle and two (2) red lamps at the front of the vehicle.
 - b. In addition to the four (4) red lamps described above, four (4) amber lamps shall be installed so that one (1) amber lamp is located near each red signal lamp, at the same level, but closer to the vertical centerline of bus. The system of red and amber

signal lamps, when in its operational mode, shall be wired so that amber lamps are energized manually, and red lamps are automatically energized (with amber lamps being automatically de-energized) when stop signal arm is extended or when bus entrance door is opened. An amber pilot lamp and a red pilot lamp shall be installed adjacent to the driver controls for the flashing signal lamp to indicate to the driver which lamp system is activated.

- c. Air and electrically operated doors may be equipped with an override switch that will allow the red lamps to be energized without opening the door, when the alternately flashing signal lamp system is in its operational mode. The use of such a device shall be in conformity with the law and SDE loading/unloading training procedures, as contained in Idaho's school bus driver training curriculum.
 - d. The area around the lenses of alternately flashing signal lamps extending outward from the edge of the lamps approximately three (3) inches to the sides and top and minimum one (1) inch to the bottom, shall be black in color on the body or roof area against which the signal lamp is seen [from a distance of five hundred (500) feet along axis of the vehicle].
 - e. Red lamps shall flash at any time the stop signal arm is extended.
 - f. All flashers for alternately flashing red and amber signal lamps shall be enclosed in the body in a readily accessible location.
4. Turn Signal and Stop/Tail Lamps
- a. Bus body shall be equipped with amber rear turn signal lamps that are at least seven (7) inches in diameter or, if a shape other than round, a minimum thirty-eight (38) square inches of illuminated area and shall meet FMVSS No. 108. These signal lamps must be connected to the chassis hazard-warning switch to cause simultaneous flashing of turn signal lamps when needed as vehicular traffic hazard warning. Turn signal lamps are to be placed as wide apart as practical and their centerline shall be a maximum of twelve (12) inches below the rear window. Type A-1 conversion vehicle front lamps must be at least twenty-one (21) square inches in lens area and must be in the manufacturer's standard color.
 - b. Buses shall be equipped with amber side-mounted turn signal lamps. One turn signal lamp on the left side shall be mounted rearward of the stop signal arm and one turn signal lamp on the right side shall be mounted rearward of the entrance door. Both front side-mounted turn signal lamps shall be mounted forward of the bus center-line. An additional side mounted turn signal lamp may be mounted on each side of the bus to the rear of the bus center-line.
 - c. Buses shall be equipped with four (4) combination red stop/tail lamps:
 - 1) Two (2) combination lamps with a minimum diameter of seven (7) inches, or if a shape other than round, a minimum thirty-eight (38) square inches of illuminated area shall be mounted on the rear of the bus just inside the turn signal lamps.
 - 2) Two (2) combination lamps with a minimum diameter of four (4) inches, or if a shape other than round, a minimum of twelve (12) square inches of illuminated area, shall be placed on the rear of the body between the beltline and the floor

- line. The rear license plate lamp may be combined with one (1) lower tail lamp. Stop lamps shall be activated by the service brakes and shall emit a steady light when illuminated. Type A-1 buses with bodies supplied by chassis manufacturer may be equipped with manufacturer's standard stop and tail lamps.
- d. On buses equipped with a monitor for the front and rear lamps of the school bus, the monitor shall be mounted in full view of the driver. If the full circuit current passes through the monitor, each circuit shall be protected by a fuse or circuit breaker or electronic protection device against any short circuit or intermittent shorts.
 - e. An optional white flashing strobe lamp may be installed on the roof of a school bus, at a location not closer than twelve (12) inches or more than six (6) feet from the rear of the roof edge. However, if the bus is equipped with a roof hatch, or other roof mounted equipment, falling within the above mentioned measurements, the strobe lamp may be located directly behind that equipment. The lamp shall have a single clear lens emitting light 360 degrees around its vertical axis and may not extend above the roof more than maximum legal height. A manual switch and a pilot lamp shall be included to indicate when lamp is in operation. Operation of the strobe lamp is limited to periods of inclement weather, nighttime driving, emergency situation or whenever students are onboard. Optionally, the strobe lamp may be mounted on the roof in the area directly over the restraining barrier on the driver's side, may be wired to activate with the amber alternately flashing signal lamps, continuing through the full loading or unloading cycle, and may be equipped with an override switch to allow activation of the strobe at any time for use in inclement weather, nighttime driving or emergency situation.
 - f. The bus body shall be equipped with two (2) white rear backup lamps that are at least four (4) inches in diameter or, if a shape other than round, a minimum of twelve (12) square inches of illuminated area, meeting FMVSS No. 108 and Section 49-920, Idaho Code. If backup lamps are placed on the same horizontal line as the brake lamps and turn signal lamps, they shall be to the inside.

MM. METAL TREATMENT

- 1. All metal except high-grade stainless steel or aluminum used in construction of the bus body shall be zinc-coated or aluminum-coated or treated by an equivalent process before bus is constructed. Included are such items as structural members, inside and outside panels, door panels and floor sills. Excluded are such items as door handles, grab handles, interior decorative parts and other interior plated parts.
- 2. All metal parts that will be painted, in addition to the above requirements, shall be chemically cleaned, etched, zinc phosphate-coated and zinc chromate-or epoxy-primed, or the metal may be conditioned by an equivalent process. This includes but not limited to such items as crossing arm and stop arm.
- 3. In providing for these requirements, particular attention shall be given to lapped

surfaces, welded connections of structural members, cut edges on punched or drilled hole areas in sheet metal, closed or box sections, unvented or undrained areas and surfaces subjected to abrasion during vehicle operation.

4. As evidence that the above requirements have been met, samples of materials and sections used in the construction of the bus body shall be subjected to a cyclic corrosion testing as outlined in SAE J1563.

NN. MIRRORS

1. The interior mirror shall be either clear view laminated glass or clear view glass bonded to a backing which retains the glass in the event of breakage. The mirror shall have rounded corners and protected edges. All Type A buses shall have a minimum of a six-inch by sixteen-inch (6 x 16 inch) mirror and Types C and D buses shall have a minimum of a six-inch by thirty-inch (6 x 30 inch) mirror.
2. Each school bus shall be equipped with exterior mirrors meeting the requirements of FMVSS No. 111. Mirrors shall be easily adjustable but shall be rigidly braced so as to reduce vibration. The right side rear view mirror shall not be obscured by the un-wiped portion of the windshield.
3. Heated external mirrors may be used.
4. Remote controlled external rear view mirrors may be used.

OO. MOUNTING

1. The chassis frame shall support the rear body cross member. The bus body shall be attached to chassis frame at each main floor sill, except where chassis components interfere, in such a manner as to prevent shifting or separation of the body from the chassis under severe operating conditions.
2. Isolators shall be installed at all contact points between body and chassis frame on Types A-2, C, and D buses, and shall be secured by a positive means to the chassis frame or body to prevent shifting, separation, or displacement of the isolators under severe operating conditions.

PP. MUD FLAPS

Rear vehicle mud flaps shall be required on all school buses, except when not provided as an option by the school bus manufacturer. Front mud flaps are optional

QQ. OIL FILTER

An oil filter with a replaceable element shall be provided and connected by flexible oil lines if it is not a built-in or an engine-mounted design. The oil filter shall have a capacity in accordance with the engine manufacturer's recommendation.

RR. OPENINGS

All openings in the floorboard or firewall between the chassis and passenger compartment (e.g., for gearshift selector and parking brakes lever) shall be sealed.

SS. OVERALL LENGTH

Overall length of bus shall not exceed forty-five (45) feet, excluding accessories.

TT. OVERALL WIDTH

Overall width of bus shall not exceed one-hundred and two (102) inches, excluding accessories.

UU. PASSENGER LOAD

1. Actual gross vehicle weight (GVW) is the sum of the chassis weight, plus the body weight, plus the driver's weight, plus total seated student weight. For purposes of calculation, the driver's weight is one hundred fifty (150) pounds and the student weight is one hundred twenty (120) pounds per student.
2. Actual GVW shall not exceed the chassis manufacturer's GVWR for the chassis, nor shall the actual weight carried on any axle exceed the chassis manufacturer's Gross Axle Weight Rating (GAWR).
3. When requested, the manufacturer's GVWR for a particular school bus shall be furnished by manufacturers in duplicate (unless more copies are requested) to the purchasing school district or contractor.

VV. PUBLIC ADDRESS SYSTEM

1. Buses may be equipped with AM/FM audio and/or public address system having interior and/or exterior speakers.
2. No internal speakers, other than the driver's communication systems, may be installed

within four (4) feet of the driver's seat back in its rearmost upright position.

WW. REFLECTIVE MATERIAL

(Note: See National School Transportation Specifications & Procedures Placement of Reflective Markings)

1. The front and/or rear bumper may be marked diagonally 45 degrees down to centerline of pavement with one and one and three-quarters (1.75) to two and one quarter (2.25) inch wide strips of non-contrasting reflective material.
2. The rear of bus body shall be marked with strips of reflective NSBY material to outline the perimeter of the back of the bus using material which conforms to the requirements of FMVSS No. 131, Table 1. The perimeter marking of rear emergency exits per FMVSS No. 217 and/or the use of reflective "SCHOOL BUS" signs partially accomplish the objective of this requirement. To complete the perimeter marking of the back of the bus, strips of at least one (1) inch reflective NSBY material shall be applied horizontally above the rear windows and above the rear bumper, extending from the rear emergency exit perimeter, marking outward to the left and right rear corners of the bus. Vertical strips of at least one and three-quarters (1¾) inch retroreflective NSBY material shall be applied at the corners connecting these horizontal strips.
3. "SCHOOL BUS" signs, if not of lighted design, shall be marked with retro reflective NSBY material comprising background for lettering of the front and/or rear "SCHOOL BUS" signs.
4. Sides of bus body shall be marked with at least one and three-quarters (1¾) inch retro reflective NSBY material, extending the length of the bus body and located (vertically) between the floor line and the beltline.
5. Signs, if used, placed on the rear of the bus relating to school bus flashing signal lamps or railroad stop procedures may be of retro reflective NSBY material comprising background for lettering.

XX. RETARDER SYSTEM (OPTIONAL EQUIPMENT)

A retarder system, if used, shall limit the speed of a fully loaded school bus to 19.0 mph on a seven percent (7%) grade for 3.6 miles.

YY. ROAD SPEED CONTROL

When it is desired to accurately control vehicle maximum speed, a vehicle speed limiter may be utilized.

ZZ. RUB RAILS

1. There shall be one (1) rub rail located on each side of the bus approximately at seat cushion level which extends from the rear side of the entrance door completely around the bus body (except the emergency door or any maintenance access door) to the point of curvature near the outside cowl on the left side.
2. There shall be one (1) additional rub rail located on each side at, or no more than ten (10) inches above the floor line. The rub rail shall cover the same longitudinal area as upper rub rail, except at the wheel housings, and it shall, at a minimum, extend to radii of the right and left rear corners.
3. Both rub rails shall be attached at each body post and all other upright structural members.
4. Each rub rail shall be four (4) inches or more in width in their finished form, shall be constructed of 16-gauge steel or suitable material of equivalent strength and shall be constructed in corrugated or ribbed fashion. Each entire rub rail shall be black in color.
5. Both rub rails shall be applied outside the body or outside the body posts. Pressed-in or Snap-On rub rails do not satisfy this requirement. For Type A-1 vehicles using the body provided by the chassis manufacturer or for Types A-2, C, and D buses using the rear luggage or the rear engine compartment, rub rails need not extend around the rear corners.
6. There shall be a rub rail or equivalent bracing located horizontally at the bottom edge of the body side skirts.

AAA. SEATS AND RESTRAINING BARRIERS

1. Passenger Seating:
 - a. All seats shall have a minimum cushion depth of fifteen (15) inches, a seat back height of twenty-four (24) inches above the seating reference point, and must comply with all requirements of FMVSS No. 222. School bus design capacities shall be in accordance with 49 CFR Part 571.3 and FMVSS No. 222. In addition to the fastener that forms the pivot for each seat retaining clip, a secondary fastener may be used in each clip to prevent the clip from rotating and releasing the seat cushion unintentionally.
 - b. All restraining barriers and passenger seats may be constructed with non-reimbursable materials that enable them to meet the criteria contained in the School Bus Seat Upholstery Fire Block Test or the American Society for Testing and Materials (ASTM) E2574/E2574M – 12a Standard Test Method for Fire Testing of School Bus Seat Assemblies.
 - c. Each seat leg shall be secured to the floor by bolts, washers, and nuts in order to meet the performance requirements of FMVSS No. 222. Flange-head nuts may be used in lieu of nuts and washers, or seats may be track-mounted in conformance with FMVSS No. 222. If track seating is installed, the manufacturer shall supply

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 24, 2022

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minimum and maximum seat spacing dimensions applicable to the bus, which comply with FMVSS No. 222. This information shall be on a label permanently affixed to the inside passenger compartment of the bus.

- d. All seat frames attached to the seat rail shall be fastened with bolts, washers and nuts or flange-head nuts.
 - e. All school buses (including Type A) shall be equipped with restraining barriers which conform to FMVSS No. 222.
 - f. The use of a "flip seat" adjacent to any side emergency door is prohibited.
2. Pre School Age Seating:
All passenger seats designed to accommodate a child or infant carrier seat shall comply with FMVSS No. 225. These seats shall be in compliance with NHTSA's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses". Child Safety Restraint Systems (CSRSs) shall not be placed in school bus seats adjacent to emergency exits.
3. Driver Seat:
- a. The driver's seat supplied by the body company shall be a high back seat with a minimum seat back adjustable to fifteen (15) degrees, without requiring the use of tools, and a head restraint to accommodate a 5th percentile female to a 95th percentile adult male, as defined in FMVSS No. 208. The driver's seat shall be secured with nuts, bolts and washers or flanged-head nuts.
 - b. Type A buses may use the standard driver's seat provided by the chassis manufacturer.
4. Driver Restraint System:
- a. A Type 2 lap/shoulder belt shall be provided for the driver. On buses where the driver's seat and upper anchorage for the shoulder belt are both attached to the body structure, a driver's seat with an integrated Type 2 lap/shoulder belt may be substituted. On buses where the driver's seat and upper anchorage for the shoulder belt are separately attached to both body and chassis structures (i.e., one attached to the chassis and the other attached to the body), a driver's seat with an integrated Type 2 lap/shoulder belt should be used.
 - b. The assembly shall be equipped with an emergency locking retractor for the continuous belt system. On all buses except Type A equipped with a standard chassis manufacturer's driver's seat, the lap portion of the belt system shall be guided or anchored to prevent the driver from sliding sideways under it. The lap/shoulder belt shall be designed to allow for easy adjustment in order to fit properly and to effectively protect drivers varying in size from 5th percentile adult female to 95th percentile adult male.
 - c. Each bus shall be equipped with durable webbing cutter having a full width handgrip and a protected, replaceable or non-corrodible blade. The required belt cutter shall be mounted in a visible location accessible to the seated driver in an easily detachable manner.

BBB. SHOCK ABSORBERS

The bus shall be equipped with double-action shock absorbers compatible with manufacturer's rated axle capacity at each wheel location. Shock absorbers shall be of sufficient length to allow for adequate travel in all situations without damage to the shock absorber or mounts.

CCC. STEERING GEAR

1. The steering gear shall be approved by the chassis manufacturer and designed to ensure safe and accurate performance when the vehicle is operated with maximum load and at maximum speed.
2. If external adjustments are required, steering mechanism shall be accessible to make adjustments.
3. No changes shall be made in the steering apparatus which are not approved by the chassis manufacturer.
4. There shall be a clearance of at least two (2) inches between the steering wheel and cowl, instrument panel, windshield, or any other surface.
5. Power steering is required and shall be of the integral type with integral valves.
6. The steering system shall be designed to provide a means for lubrication of all wear-points, which are not permanently lubricated.

DDD. STEPS

1. The first step at entrance door shall be not less than ten (10) inches and not more than fourteen (14) inches from the ground when measured from top surface of the step to the ground, based on standard chassis specifications, except that on Type D vehicles, the first step at the entrance door shall be twelve (12) inches to sixteen (16) inches from the ground. On chassis modifications which may result in increased ground clearance (such as four-wheel drive) an auxiliary step shall be provided to compensate for the increase in ground-to-first-step clearance. The auxiliary step is not required to be enclosed.
2. Step risers shall not exceed a height of ten (10) inches. When plywood is used on a steel floor or step, the riser height may be increased by the thickness of the plywood.
3. OEM steps shall be enclosed to prevent accumulation of ice and snow.
4. OEM, retrofit, or after-market steps shall not protrude beyond the side body line, except during the loading or unloading of passengers.

EEE. STEP TREADS

1. All steps, including the floor line platform area, shall be covered with an elastomer floor covering having a minimum overall thickness of 0.187 inch.
2. The step covering shall be permanently bonded to a durable backing material that is resistant to corrosion.
3. Steps, including the floor line platform area, shall have a one and one-half (1½) inch nosing that contrasts in color by at least seventy percent (70%) measured in accordance with the contrasting color specification in 36 CFR, Part 1192, ADA, Accessibility Guidelines for Transportation Vehicles.
4. Step treads shall have the following characteristics:
 - a. Abrasion resistance: Step tread material weight loss shall not exceed 0.40 percent, as tested under ASTM D-4060, Standard Test Method for Abrasion Resistance of Organic Coatings by the Taber Abraser (CS-17 Wheel, 1000 gram, 1000 cycle);
 - b. Weathering resistance: Step treads shall not break, crack, or check after ozone exposure (seven days at 50 phm at 40 degrees C) and Weatherometer exposure (ASTM D-750, Standard Test Method for Rubber Deterioration in Carbon-Arc Weathering Apparatus, seven days);
 - c. Flame Resistance: Step treads shall have a calculated burn rate of 0.01 mm per minute or less using the test methods, procedures and formulas listed in FMVSS No. 302, Flammability of Interior Materials; and
 - d. A spray on application type material may be used in lieu of item 1. that meets the requirements of items 2 through 4. The material shall be applied not only to the interior surfaces of the service door step treads but the exterior as well if not covered by undercoating.

FFF. STIRRUP STEPS

When the windshield and lamps are not easily accessible from the ground, there may be at least one (1) folding stirrup step or recessed foothold and suitably located handles on each side of the front of the body for easy accessibility for cleaning. Steps are permitted in or on the front bumper in lieu of the stirrup steps, if the windshield and lamps are easily accessible for cleaning from that position.

GGG. STOP SIGNAL ARM

The stop signal arm(s) shall comply with the requirements of FMVSS No. 131.

HHH. STORAGE COMPARTMENT (OPTIONAL)

A storage container for tools, tire chains, and/or tow chains may be located either inside or outside the passenger compartment. If inside, it shall have a cover capable of being securely latched and fastened to the floor (the seat cushion may not serve this purpose), convenient to either the entrance door or the emergency door.

III. SUN SHIELD

1. An interior adjustable transparent sun shield, with a finished edge and not less than six inches by thirty inches (6 x 30 inches) for Types C and D vehicles, shall be installed in a position convenient for use by the driver.
2. On all Type A buses, the sun shield (visor) shall be installed according to the manufacturer's standard.

JJJ. SUSPENSION SYSTEMS

1. The capacity of springs or suspension assemblies shall be commensurate with the chassis manufacturer's GVWR.
2. Rear leaf springs shall be of a progressive rate or multi-stage design. Front leaf springs shall have a stationary eye at one end and shall be protected by a wrapped leaf, in addition to the main leaf.

KKK. THROTTLE

The force required to operate the throttle shall not exceed sixteen (16) pounds throughout the full range of accelerator pedal travel.

LLL. TIRES AND RIMS

1. Rims of the proper size and tires of the proper size and load rating commensurate with the chassis manufacturer's gross vehicle weight rating shall be provided. The use of multi-piece rims and/or tube-type tires shall not be permitted on any school bus ordered after December 31, 1995.
2. Dual rear tires shall be provided on Type A-2, Type C and Type D school buses.
3. All tires on a vehicle shall be of the same size, and the load range of the tires shall meet or exceed the GVWR, as required by FMVSS No.120.
4. If the vehicle is equipped with a spare tire and rim assembly, it shall be the same size as those mounted on the vehicle.

5. If a tire carrier is required, it shall be suitably mounted in an accessible location outside the passenger compartment.

MMM. TOW ATTACHMENT POINTS

1. Rear towing devices (i.e. tow hooks, tow eyes, or other designated towing attachment points) shall be furnished to assist in the retrieval of buses that are stuck and/or for towing buses when a wrecker with a “wheel lift” or an “axle lift” is not available or cannot be applied to the towed vehicle.
2. Towing devices shall be attached to the chassis frame either by the chassis manufacturer or in accordance with the chassis manufacturer’s specifications.
3. Each rear towing device shall have a strength rating of thirteen thousand five hundred (13,500) pounds with the force applied in the rearward direction, parallel to the ground, and parallel to the longitudinal axis of the chassis frame rail.
4. The towing devices shall be mounted such that they do not project rearward of the rear bumper.

NNN. TRACTION ASSISTING DEVICES (OPTIONAL)

1. Where required or used, sanders shall:
 - a. Be of hopper cartridge-valve type;
 - b. Have a metal hopper with all interior surfaces treated to prevent condensation of moisture;
 - c. Be of at least 100-pound (grit) capacity;
 - d. Have a cover on the filler opening of hopper, which screws into place, thereby sealing the unit airtight;
 - e. Have discharge tubes extending to the front of each rear wheel under the fender;
 - f. Have non-clogging discharge tubes with slush-proof, non-freezing rubber nozzles;
 - g. Be operated by an electric switch with a telltale pilot lamp mounted on the instrument panel;
 - h. Be exclusively driver-controlled; and
 - i. Have a gauge to indicate that the hopper needs refilling when it reaches one-quarter ($\frac{1}{4}$) full.
 - j. Automatic traction chains may be installed.

OOO. TRANSMISSION

1. Automatic transmissions shall have no fewer than three (3) forward speeds and one (1)

reverse speed. Mechanical shift selectors shall provide a detent between each gear position when the gear selector quadrant and shift selector are not steering-column mounted.

2. Automatic transmissions shall have a transmission shifter interlock controlled by the application of the service brake to prohibit accidental engagement of the transmission.

PPP. TRASH CONTAINER AND HOLDING DEVICE (OPTIONAL)

Where requested or used, the trash container shall be secured by a holding device that is designed to prevent movement and to allow easy removal and replacement; and it shall be installed in an accessible location in the driver's compartment, not obstructing passenger use of the entrance door or the entrance grab handle, and in such a way as to prevent the entanglement of clothing, backpack straps, drawstrings, etc. Trash cans shall not be installed in the passenger compartment which includes the back of the bus.

QQQ. TURNING RADIUS

1. A chassis with a wheelbase of two-hundred sixty-four (264) inches or less shall have a right and left turning radius of not more than forty-two and one-half (42½) feet, curb-to-curb measurement.
2. A chassis with a wheelbase of two-hundred sixty-five (265) inches or more shall have a right and left turning radius of not more than forty-four and one-half (44½) feet, curb-to-curb measurement.

RRR. UNDERCOATING

1. The entire underside of the bus body, including floor sections, cross member and below floor line side panels, shall be coated with rust-proofing material for which the material manufacturer has issued a notarized certification of compliance to the bus body builder that materials meet or exceed all performance and qualitative requirements of SAE J1959.
2. The undercoating material shall be applied with suitable airless or conventional spray equipment to the recommended film thickness and shall show no evidence of voids in the cured film. The undercoating material shall not cover any exhaust components of the chassis.

SSS. VENTILATION

1. Auxiliary fans shall meet the following requirements:

- a. Fans shall be placed in a location where they can be adjusted for maximum effectiveness and where they do not obstruct the driver's vision or interfere with the safe operation of necessary equipment;
- b. Fans shall be of six (6) inch nominal diameter;
 - a. Fan blades shall be covered with a protective cage; and
 - b. Each fan shall be controlled by a separate switch.
3. The bus body shall be equipped with a suitably controlled ventilating system of sufficient capacity to maintain proper quantity of air under operating conditions without having to open windows except in extremely warm weather.
4. Static-type, non-closeable exhaust ventilation shall be installed, preferably in a low-pressure area of the roof.
5. Roof hatches designed to provide ventilation in all types of exterior weather conditions may be provided.

TTT. WHEEL HOUSING

1. The wheel housing opening shall allow for easy tire removal and service.
2. The wheel housings shall be attached to floor sheets in such a manner so as to prevent any dust, water or fumes from entering the body. The wheel housings shall be constructed of at least 16-gauge steel.
3. The inside height of the wheel housing above the floor line shall not exceed twelve (12) inches.
4. The wheel housings shall provide clearance for installation and use of tire chains on single and dual (if so equipped) power-driving wheels.
5. No part of raised wheel housing shall extend into the emergency door opening.

UUU. WINDOWS

1. Each full side window, other than emergency exits designated to comply with FMVSS 217, shall provide an unobstructed opening of at least nine (9) inches but not more than thirteen (13) inches high and at least twenty-two (22) inches wide, obtained by lowering the window. One side window on each side of the bus may be less than twenty-two (22) inches wide. Passenger and driver window frames shall be painted NSBY, black to match body trim, or shall be unpainted aluminum. The area between the passenger and driver window frames shall be NSBY.
2. Tinted and/or frost-free glazing may be installed in all doors, windows, and windshields consistent with federal, state, and local regulations.

vvv. WINDSHIELD WASHERS

A windshield washer system shall be provided.

www.WINDSHIELD WIPERS

1. A two-speed windshield wiping system with an intermittent time delay feature shall be provided.
2. The wipers shall meet the requirements of FMVSS No. 104.

xxx. WIRING

1. All wiring shall conform to current SAE standards.
2. Wiring shall be arranged in circuits, as required, with each circuit protected by a fuse, breaker or electronic protection device.
3. A system of color and number coding shall be used and an appropriate identifying diagram shall be provided to the end user, along with the wiring diagram provided by the chassis manufacturer. The wiring diagrams shall be specific to the bus model supplied and shall include any changes to wiring made by the body manufacturer. Chassis wiring diagrams shall be supplied to the end user. A system of color and number-coding shall be used on buses. The following body interconnecting circuits shall be color-coded as noted:

FUNCTION	COLOR
Left Rear Directional Lamp	Yellow
Right Rear Directional Lamp	Dark Green
Stop Lamps	Red
Back-up Lamps	Blue
Tail Lamps	Brown
Ground	White
Ignition Feed, Primary Feed	Black

4. The color of cables shall correspond to SAE J1128.
5. Wiring shall be arranged in at least six (6) regular circuits as follows:
 - a. Head, tail, stop (brake) and instrument panel lamps;
 - b. Clearance lamps and step well lamps that shall be actuated when the entrance door is open;
 - c. Dome lamps;
 - d. Ignition and emergency door signal;

- e. Turn signal lamps; and
 - f. Alternately flashing signal lamps.
6. Any of the above combination circuits may be subdivided into additional independent circuits.
 7. Heaters and defrosters shall be wired on an independent circuit.
 8. There shall be a manual noise suppression switch installed in the control panel. The switch shall be labeled and alternately colored. This switch shall be an on/off (a momentary or spring loaded switch does not meet this requirement) type that deactivates body equipment that produces noise, including, at least, the AM/FM radio, two-way communications, heaters, air conditioners, fans and defrosters. This switch shall not deactivate safety systems, such as windshield wipers or lighting systems.
 9. Whenever possible, all other electrical functions (such as Sanders and electric-type windshield wipers) shall be provided with independent and properly protected circuits.
 10. Each body circuit shall be coded by number or letter on a diagram of circuits and shall be attached to the body in a readily accessible location.
 11. The entire electrical system of the body shall be designed for the same voltage as the chassis on which the body is mounted.
 12. All wiring shall have an amperage capacity exceeding the design load by at least twenty-five percent (25%). All wiring splices are to be done at an accessible location and noted as splices on wiring diagram.
 13. A body wiring diagram of a size that can be easily read shall be furnished with each bus body or affixed in an area convenient to the electrical accessory control panel.
 14. The body power wire shall be attached to a special terminal on the chassis.
 15. All wires passing through metal openings shall be protected by a grommet.
 16. Wires not enclosed within the body shall be fastened securely at intervals of not more than eighteen (18) inches. All joints shall be soldered or joined by equally effective connectors, which shall be water-resistant and corrosion-resistant.
 17. Multiplex wiring may exempt manufacturers from some of the above wiring standards.
 18. Buses may be equipped with a 12-volt power port in the driver's area.

III STANDARDS FOR SPECIALLY EQUIPPED SCHOOL BUSES

A. INTRODUCTION

The specifications in this section are intended to be supplementary to specifications in the school bus chassis and body sections. In general, specially equipped buses shall meet all the requirements of the preceding sections plus those listed in this section. It is recognized by the entire industry that the field of special transportation is characterized by varied needs for individual cases and by a rapidly emerging technology for meeting those needs. A flexible, “common-sense” approach to the adoption and enforcement of specifications for these vehicles, therefore, is prudent.

B. DEFINITION

A specially equipped school bus is any school bus that is designed, equipped, or modified to accommodate students with special transportation needs.

C. GENERAL REQUIREMENTS

1. School buses designed for transporting students with special transportation needs shall comply with Standards for Idaho School Buses and Operations and with Federal Motor Vehicle Safety Standards (FMVSS) applicable to their Gross Vehicle Weight Rating (GVWR) category.
2. Any school bus to be used for the transportation of children who utilize a wheelchair or other mobile positioning device, or who require life-support equipment that prohibits use of the regular service entrance, shall be equipped with a power lift.

D. AISLES

All school buses equipped with a power lift shall provide a minimum thirty (30) inch pathway leading from any wheelchair/mobility aid position to at least one thirty (30) inch wide emergency exit door. A wheelchair securement position shall never be located directly in front of (blocking) a power lift door location.

E. COMMUNICATIONS

All school buses used to transport students shall be equipped with two-way voice communication or SDE pre-approved device other than CB radios.

F. GLAZING

Tinted glazing may be installed in all doors, windows, and windshields consistent with federal, state, and local regulations.

G. IDENTIFICATION

Buses with power lifts used for transporting individuals with disabilities shall display below the window line on the lift and rear doors the International Symbol of Accessibility. Such emblems shall be white on blue background, shall not exceed twelve inches by twelve inches (12 x 12 inches) or be less than four inches by four inches (4 x 4 inches) in size, and shall be of a high-intensity reflectorized material meeting Federal Highway Administration (FHWA) FP-85 Standards.

H. PASSENGER CAPACITY RATING

In determining the passenger capacity of a school bus for purposes other than actual passenger load (e.g., vehicle classification or various billing/ reimbursement models), any location in a school bus intended for securement of an occupied wheelchair/mobility aid during vehicle operations are regarded as four (4) designated seating positions. Similarly, each lift area may be regarded as four (4) designated seating positions.

I. POWER LIFTS

The power lift shall be located on the right side of the bus body when not extended. Exception: The lift may be located on the left side of the bus if, and only if, the bus is primarily used to deliver students to the left side of one-way streets.

J. VEHICLE LIFTS & INSTALLATIONS

1. Vehicle lifts and installations shall comply with the requirements set forth in FMVSS No. 403, Platform Lift Systems for Motor Vehicles, and FMVSS No. 404, Platform Lift Installations in Motor Vehicles.

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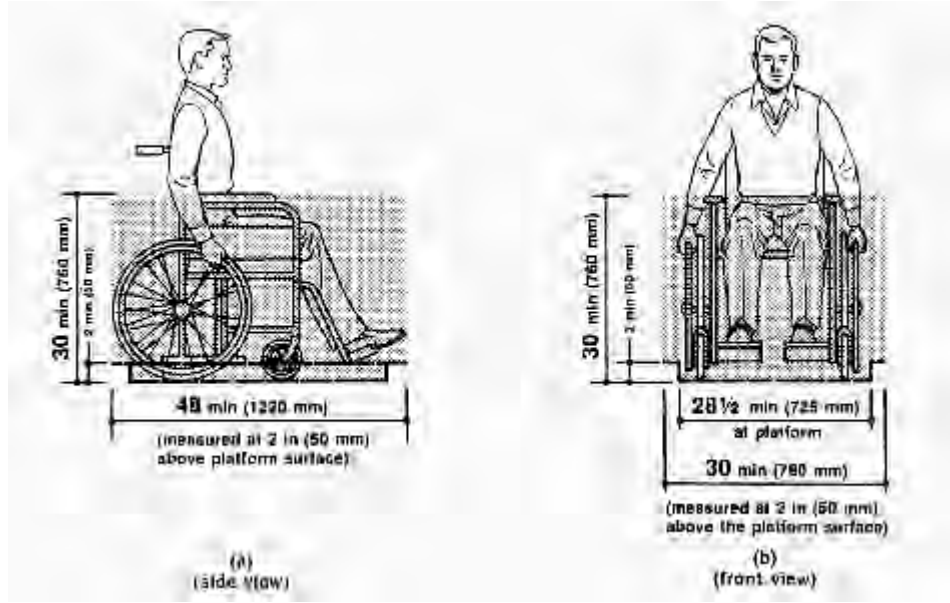
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2. The design load of the vehicle lift shall be at least eight hundred (800) pounds. Working parts, such as cables, pulleys and shafts, which can be expected to wear, and upon which the vehicle lift depends for support of the load, shall have a safety factor of at least six, based on the ultimate strength of the material. Nonworking parts, such as platform, frame and attachment hardware that would not be expected to wear shall have a safety factor of at least three, based on the ultimate strength of the material.
3. The vehicle lifting mechanism and platform shall be capable of operating effectively with a wheelchair and occupant mass of at least eight hundred (800) pounds.
4. Controls: (See 49 CFR Part 571.403, S6.7, Control Systems).
5. Emergency Operations: (See 49 CFR Part 571.403, S6.9, Backup Operation).
6. Power or Equipment Failures: (See 49 CFR Part 571.403, S6.2.2, Maximum Platform Velocity).
7. Platform Barriers: (See 49 CFR Part 571.403, S6.4.2, S6.4.3, Platform Requirements) (See also "Wheelchair or Mobility Aid Envelope" figure at the end of this section).
8. Platform Surface: (See 49 CFR Part 571.403, S6.4.2, S6.4.3, Platform Requirements) (See also "Wheelchair or Mobility Aid Envelope" figure at the end of this subsection).
9. Platform Gaps and Entrance Ramps: (See 49 CFR Part 571.403, S6.4.4, Gaps, Transitions, and Openings).
10. Platform Deflection: (See 49 CFR Part 571.403, S6.4.5, Platform Deflection).
11. Platform Movement: (See 49 CFR Part 571.403, S6.2.3, Maximum Platform Acceleration).
12. Boarding Direction: The lift shall permit both inboard and outboard facing of wheelchair and mobility aid users.
13. Use by Standees: Lifts shall accommodate persons who are using other aids/devices other than a wheelchair (resulting in other than a seated position) who need to use to the lift. Such persons should use a wheelchair or other wheel-based mobility device for boarding or exiting the bus, and then should be transferred to a bus seat for the ride. During lift operations no one shall be allowed to stand on the lift platform, unless otherwise noted in an Individualized Education Program (IEP) or 504 Plan in accordance with an aid riding with a student on the lift.

(Note: This item refers to equipment specifications.)

14. Handrails: (See 49 CFR Part 571.403, S6.4.9, Handrails)
15. Circuit Breaker: A resettable circuit breaker shall be installed between the power source and the lift motor if electrical power is used.
16. Excessive Pressure: (See 49 CFR Part 571.403, S6.8 Jacking Prevention)
17. Documentation: the following information shall be provided with each vehicle equipped with a lift:
 - a. A phone number where information can be obtained about installation, repair, and parts. Detailed written instructions and a parts list shall be available upon request.
 - b. Detailed instructions regarding use of the lift shall be readily visible when the lift door is open, including a diagram showing the proper placement and positioning of wheelchair/mobility aids on the lift.

18. Training Materials: The lift manufacturer shall make training materials available to ensure the proper use and maintenance of the lift. These may include instructional videos, classroom curriculum, system test results or other related materials.
19. Identification and Certification: Each lift shall be permanently and legibly marked or shall incorporate a non-removable label or tag that states it confirms to all applicable requirements of the current National School Transportation Specifications and Procedures. In addition and upon request of the original titled purchaser, the lift manufacturer or an authorized representative shall provide a notarized Certificate of Conformance, either original or photocopied, which states that the lift system meets all the applicable requirements of the current National School Transportation Specifications and Procedures.



K. REGULAR SERVICE ENTRANCE

1. On power lift-equipped vehicles, the bottom step shall be the full width of the step well, excluding the thickness of the doors in open position.
2. In addition to the handrail required in the School Bus Standards section, an additional handrail may be provided on all specially equipped school buses. This rail shall be located on the opposite side of the entrance door from the rail required in the School Bus Standards section and shall meet the same requirements for handrails.

L. RESTRAINING DEVICES

1. On power lift-equipped vehicles with a GVWR of ten thousand (10,000) pounds or more, seat frames may be equipped with attachment points to which belt assemblies

can be attached for use with child safety restraint systems (CSRSs) that comply with FMVSS No. 213, Child Restraint Systems. Any belt assembly anchorage shall comply with FMVSS No. 210, Seat Belt Assembly Anchorages.

- a. Alternatively, a child restraint anchorage system that complies with FMVSS No. 225, Child Restraint Anchorage Systems, may be installed.
2. Belt assemblies, if installed, shall conform to FMVSS No. 209, Seat Belt Assemblies.
3. Child safety restraint systems, which are used to facilitate the transportation of children who in other modes of transportation would be required to use a child, infant, or booster seat, shall conform to FMVSS No. 213.

M. SEATING ARRANGEMENTS

Flexibility in seat spacing to accommodate special devices shall be permitted to meet passenger requirements. All seating shall be forward-facing, School Bus Passenger Seating and Crash Protection and meet requirements of FMVSS No. 222.

N. SECUREMENT AND RESTRAINT SYSTEM FOR WHEEL CHAIR OCCUPANT AND WHEEL CHAIR SEATED OCCUPANTS

For purposes of understanding the various aspects and components of this section, the term securement and tie down and the phrases securement system or tie down system are used exclusively in reference to the devices that anchor the wheelchair to the vehicle. The term restraint and the phrase restraint system are used exclusively in reference to the equipment that is intended to limit the movement of the wheelchair occupant in a crash or sudden maneuver. The term Wheelchair Tiedown and Occupant Restraint System (WTORS) is used to refer to the total system that secures the wheelchair and restrains the wheelchair occupant.

1. WTORS—General Requirements

- a. A wheelchair tie down and occupant restraint system installed in specially equipped school buses shall be designed, installed, and operated for the use with forward-facing wheelchair-seated passengers and shall comply with all applicable requirements of FMVSS No. 222, School Bus Passenger Seating and Crash Protection, and SAE J2249, Wheelchair Tiedown and Occupant Restraint Systems for use in motor vehicles.
- b. The WTORS, including the anchorage track, floor plates, pockets or other anchorages, shall be provided by the same manufacturer or shall be certified to be compatible by manufacturers of all equipment/systems used.
- c. A device for storage of the WTORS shall be provided. When the system is not in use, the storage device shall allow for clean storage of the system, shall keep the system securely contained within the passenger compartment, shall

provide reasonable protection from vandalism and shall enable the system to be readily accessed for use.

- d. The WTORS, including the storage device, shall meet the flammability standards established in FMVSS No. 302, Flammability of Interior Materials.
 - e. The following information shall be provided with each vehicle equipped with a securement and restraint system:
 - i. A phone number where information can be obtained about installation, repair, and parts. Detailed written instructions and parts list shall be available upon request.
 - ii. Detailed instructions regarding use, including a diagram showing the proper placement of the wheelchair/mobility aids and positioning of securement devices and occupant restraints, including correct belt angles.
 - f. The WTORS manufacturer shall make training materials available to ensure the proper use and maintenance of the WTORS. These may include instructional videos, classroom curriculum, system test results or other related materials.
- 2. Wheelchair Securement/Tie down:** (See 49 CFR Part 571.403, S5.4.1, S5.4.2)
Each wheelchair position in a specially equipped school bus shall have a minimum clear floor area of thirty inches laterally by forty-eight inches (30 x 48 inches) longitudinally. Additional floor area may be required for some wheelchairs. Consultation between the user and the manufacturer is recommended to insure that adequate area is provided.
- 3. Occupant Restraint System:** (See 49 CFR Part 571.403, S5.4.3, S5.4.4)
If the upper torso belt anchorage is higher than forty-four (44) inches, measured from the vehicle floor, an adjustment device, as part of the occupant restraint system, shall be supplied.

O. SPECIAL LIGHT

Doorways in which lifts are installed shall have for use during lift operation a special light(s) providing a minimum of two (2) foot candles of illumination measured on the floor of the bus immediately adjacent to the lift.

P. SPECIAL SERVICE ENTRANCE

1. Power lift-equipped buses shall have a special service entrance to accommodate the power lift.
Exception: If the lift is designed to operate within the regular service entrance, and is capable of stowing such that the regular service entrance is not blocked in any way,

- and that persons entering or exiting the bus are not impeded in any way, a special service entrance shall not be required.
2. The special service entrance and door shall be located on the right side of the bus and shall be designed so as not to obstruct the regular service entrance.
Exception: A special service entrance and door may be located on the left side of the bus if, and only if, the bus is used primarily to deliver students to the left side of one-way streets and its use is limited to that function.
 3. The opening may extend below the floor through the bottom of the body skirt. If such an opening is used, reinforcements shall be installed at the front and rear of the floor opening to support the floor and give the same strength as other floor openings.
 4. A drip molding shall be installed above the opening to effectively divert water from entrance.
 5. Door posts and headers at the entrance shall be reinforced sufficiently to provide support and strength equivalent to the areas of the side of the bus not used for the special service entrance.

Q. SPECIAL ENTRANCE DOORS

1. A single door or double doors may be used for the special service entrance. All doors shall have a positive fastening device with a black arrow pointing in the direction of handle travel to open.
2. A single door shall be hinged to the forward side of the entrance unless doing so would obstruct the regular service entrance. If, due to the above condition, the door is hinged to the rearward side of the doorway, the door shall utilize a safety mechanism that will prevent the door from swinging open should the primary door latch fail. If double doors are used, the system shall be designed to prevent the door(s) from being blown open by the wind resistance created by the forward motion of the bus, and/or shall incorporate a safety mechanism to provide secondary protection should the primary latching mechanism(s) fail.
3. All doors shall have positive fastening devices to hold doors in the "open" position.
4. All doors shall be weather sealed.
5. When manually-operated dual doors are provided, the rear door shall have at least a one-point fastening device to the header. The forward-mounted door shall have at least three one-point fastening devices. One shall be to the header, one to the floor line of the body, and the other shall be into the rear door. The door and hinge mechanism shall be of a strength that is greater than or equivalent to the emergency exit door.
6. Door materials, panels and structural strength shall be equivalent to the conventional entrance and emergency doors. Color, rub rail extensions, lettering and other exterior features shall match adjacent sections of the body.
7. Each door shall have windows set in rubber that are visually similar in size and location to adjacent non-door windows. Glazing shall be of same type and tinting (if applicable)

- as standard fixed glass in other body locations.
8. Door(s) shall be equipped with a device that will actuate an audible or flashing signal located in the driver's compartment when door(s) is not securely closed and the ignition is in the "on" position.
 9. A switch shall be installed so that the lifting mechanism will not operate when the lift platform door(s) is closed.
 10. Special service entrance doors shall be equipped with padding at the top edge of the door opening. Padding shall be at least three (3) inches wide and one (1) inch thick and shall extend the full width of the door opening.

R. SUPPORT EQUIPMENT AND ACCESSORIES

1. In addition to the webbing cutter required in the bus standards section, each specially equipped school bus set up to accommodate wheelchairs or other assistive or restraint devices with belts attached shall contain an additional webbing cutter properly secured in a location to be determined by the purchaser. The belt cutter shall meet the requirements listed in the bus standards section.
2. Special equipment or supplies used on the bus for mobility assistance, health support or safety purposes shall meet any local, federal or engineering standards that may apply, including proper identification.
3. Equipment that may be used for these purposes includes, but is not limited to:
 - a. Wheelchairs and other mobile seating devices (see section on Securement and Restraint System for Wheelchair and Wheelchair-seated Occupant);
 - b. Crutches, walkers, canes and other ambulating devices; and/or
 - c. Medical support equipment, which may include respiratory devices such as oxygen bottles [which should be no larger than twenty-two (22) cubic feet for liquid oxygen and thirty-eight (38) cubic feet for compressed gas] or ventilators. Tanks and valves should be located and positioned to protect them from direct sunlight, bus heater vents or other heat sources. Other equipment may include intravenous and fluid drainage apparatus. If transporting oxygen, refer to Ambulance Manufactures Division, Standard 003.
4. All portable equipment and special accessory items, including the equipment listed above, shall be secured at the mounting location to withstand a pulling force of five (5) times the weight of the item or shall be retained in an enclosed, latched compartment. The compartment shall be capable of withstanding forces applied to its interior equal to five (5) times the weight of its contents without failure to the box's integrity and securement to the bus. Exception: If these standards provide specific requirements for securement of a particular type of equipment, the specific standard shall prevail (e.g., wheelchairs).

S. TECHNOLOGY AND EQUIPMENT

1. It is the intent of these specifications to accommodate new technologies and equipment that will better facilitate the transportation of students with special needs. New technology and equipment is acceptable for use in specially equipped vehicles if:
2. It does not compromise the effectiveness or integrity of any major safety system. Examples of safety systems include, but are not limited to, compartmentalization, the eight-lamp warning system, emergency exits and the approved color scheme.
3. It does not diminish the safety of the bus interior.
4. It does not create additional risk to students who are boarding or exiting the bus or are in or near the school bus loading zone.
5. It does not require undue additional activity and/or responsibility for the driver.
6. It generally increases efficiency and/or safety of the bus, generally provides for a safer or more pleasant experience for the occupants and pedestrians in the vicinity of the bus and/or generally assists the driver and makes his/her many tasks easier to perform.

IV STANDARDS FOR ALTERNATIVE FUELS FOR SCHOOL BUSES

A. INTRODUCTION

This section is designed to be used as an overview of the alternative fuels being utilized for student school transportation. It is not designed to replace current applicable federal, state, manufacturing or safety specifications that may exceed requirements within this section. There may be advancements in engineering and improvements in equipment fabrication methods and operating practices that differ from those specifically called for in this section. Such deviations or improvements may provide safety and may meet the intent of, and be compatible with, this section. Entities wishing to purchase alternative fuel school buses should use this section only as a starting point. More detailed specifications, including specific design and performance criteria and safety specifications, should be researched by prospective purchasers of alternative-fuel school buses.

B. GENERAL REQUIREMENTS

Alternative fuel school buses shall meet the following requirements:

1. Chassis shall meet all standards previously mentioned in IDAHO SCHOOL BUS STANDARDS.
2. Chassis shall meet all applicable Federal Motor Vehicle Safety Standards (FMVSS).
3. The fuel system integrity shall meet the specified leakage performance standards when impacted by a moving contoured barrier in accordance with test conditions specified in FMVSS No. 301 or No. 303, or with the Canadian Motor Vehicles Safety Standard 301.1, as applicable.
4. Original equipment manufacturers (OEMs) and conversion systems using compressed natural gas (CNG) shall comply with National Fire Protection Association (NFPA) Specification 2013, "Compressed Natural Gas Vehicular Fuel Systems," in effect at the time of installation. Fuel systems using liquefied petroleum gas (LPG) shall comply with NFPA Specification 2014, "Liquefied Petroleum Gases Engine Fuel Systems".
5. Fuel tank(s) for vehicles of less than fifty-four (54) passenger capacity powered by LPG or CNG shall have a minimum 40-gallon capacity. Fuel tank (s) for vehicles of fifty-four (54) or more passenger capacity powered by LPG or CNG shall have a minimum 60-gallon capacity.
6. Natural gas-powered buses may be equipped with an interior/exterior gas detection system. All natural gas-powered buses may be equipped with an automatic or manual fire detection and suppression system.

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7. All materials and assemblies used to transfer or store alternative fuels shall be installed outside the passenger/driver compartment.
8. All Types C and D buses using alternative fuels shall meet the same base requirements of IDAHO SCHOOL BUS STANDARDS for passenger load.
9. The total weight shall not exceed the GVWR when loaded to rated capacity.
10. The manufacturer supplying the alternative fuel equipment must provide the owner and operator with adequate training and certification in fueling procedures, scheduled maintenance, troubleshooting and repair of alternative fuel equipment.
11. All fueling equipment shall be designed specifically for fueling motor vehicles and shall be certified by the manufacturer as meeting all applicable federal, state and industry standards.
12. All on-board fuel supply containers shall meet all appropriate requirements of the American Society for Mechanical Engineering (ASME) code, DOT regulations or applicable FMVSSs and NFPA standards.
13. All safety devices that discharge to the atmosphere shall be vented to the outside of the vehicle. The discharge line from the safety relief valve on all school buses shall be located in a manner appropriate to the characteristics of the alternative fuel. Discharge lines shall not pass through the passenger compartment.
14. CNG buses shall have a positive quick-acting (one quarter turn) shut-off control valve shall be installed in each gaseous fuel supply line, as close as possible to the fuel supply containers. The valve controls shall be placed in a location easily operable from the exterior of the vehicle. The location of the valve control shall be clearly marked on the exterior surface of the bus.
15. An electrical grounding system shall be required for grounding of the fuel system during maintenance-related venting.
16. Fuel systems identified as compatible with bio-diesel must be provided with components compatible with Bio-Diesel conforming to the specifications of ASTM Biodiesel Standards.
17. High voltage-powered school buses utilizing a high voltage propulsion system [more than forty-eight (48) nominal volts] shall meet the requirements of FMVSS 305, except for the following:
 - a. The propulsion power source (batteries, fuel cells, etc.) shall be located outside the passenger compartment.
 - b. The propulsion power source enclosure shall be constructed to conform to the power source manufacturer's requirements and recommendations.
 - c. Due to the much larger size and quantities of the propulsion power sources on large vehicles, buses over ten thousand (10,000) pounds are permitted to exceed the 5.0 liter spillage constraint of 49 CFR Part 571.305, S5.1, electrolyte spillage from propulsion batteries, and the requirements to statically rotate the vehicle on its longitudinal axis post-test.

VI SCHOOL BUS WITHDRAWAL FROM SERVICE STANDARDS

The SDE staff shall develop, maintain and periodically distribute out-of-service criteria (a matrix), the basis of which shall be the latest published document from the most recent National Congress on School Transportation. The Out-of-Service Matrix shall be subsequent to input from the Student Transportation Steering Committee, as needed. These standards are intended to ensure that all Idaho school buses are maintained in a safe manner. When inspection of a bus reveals a maintenance condition that is below an out-of-service standard it shall be the duty of the technician performing the inspection to remove the vehicle from service until the discrepancy has been corrected. These standards shall apply to both new and used buses and shall be the criteria used whenever an Idaho school bus is inspected. These standards are to be used whenever a sixty (60) day, Annual or New School Bus Inspection is being performed by state inspectors or district, contractor, or outside contracted maintenance personnel (Section 33-1506, Idaho Code). The Out-of-Service Matrix is located on the SDE website.

VII STANDARDS FOR STUDENT TRANSPORTATION OPERATIONS

A. INTRODUCTION

The success of any school transportation operation depends largely on the performance and degree of dedication displayed by those involved. The school bus is an extension of the class-room and as such, the ride to school should be safe and efficient in an atmosphere conducive to learning readiness. Open and honest communication between all stakeholders is vital for the success of the transportation program. Transportation is critical to the education process, and the school bus is the safest form of transportation. Therefore, transportation to and from school on a school bus shall be offered to all eligible students. Districts or the governing body responsible for student transportation shall have an eligibility policy, which takes safety into account, addressing distances from school for different age groups. If transportation eligibility is maximized, the result will be more students on buses and therefore, safer access to students' educational opportunities. The sole criterion used to establish transportation eligibility should not be only the distance between a student's home address and the student's school of attendance; rather, travel to and from school must take into account various criteria. Safety must be the primary concern, and criteria should take into account the ages of students and potentially hazardous situations, such as roadway and walk pathway conditions, speed limits, railroad crossings, lighting conditions, etc. The criteria should also take into account students' levels of maturity, grade levels, cognitive and physical abilities. Similar criteria should be used in establishing maximum distances between a student's home and the assigned bus stop per district guidelines.

B. SCHOOL TRAVEL CHOICES

1. Children in the United States travel to and from pre-school, school and related activities by a variety of modes. Administrators, parents and students often choose or encourage the use of modes of travel for reasons other than maximizing safety or minimizing risk (e.g., convenience, flexibility, and budget). **It is recommended that all eligible school students be transported in a school bus.**
2. Each travel mode has its inherent risks, which vary from community to community, school to school and program to program, and any shifts from one mode to another can have a marked effect on the overall safety of travel for a particular community, school or program. The goal is to improve safety for all children traveling to and from pre-school, school and related activities and to provide communities with the

information needed to make informed choices that balance their needs and resources.

C. ADMINISTRATION

In compliance with Section 33-1511, Idaho Code, the SDE shall provide the following:

1. Leadership in the development of a comprehensive student transportation program for statewide application.
2. A state supervisor of school transportation with the staff and resources necessary for optimal job performance.
3. A comprehensive school bus operator and school bus technician training program.
4. Frequent visits to local school districts and charter schools to audit, inspect, review and evaluate student transportation programs and financial systems (including reimbursement claim accuracy) and provide direction as necessary. Adequate frequency shall be defined as, at least once every two (2) years.
5. The Director of Student Transportation, based upon results of program reviews, fiscal audits, and spot inspections as set forth in Section 33-1506, Idaho Code will provide school districts a list of required corrective actions, when necessary (Section 33-1511, Idaho Code).
6. Follow-up visits to ensure implementation of corrective action plans. The Director of Student Transportation shall require school districts to submit progress reports on those corrective actions developed by the Director of Student Transportation to the SDE at prescribed intervals until deficiencies are corrected or the corrective actions no longer apply (Section 33-1511, Idaho Code).
7. The Director of Student Transportation may withhold all or a portion of a district's student transportation reimbursement funding in instances of noncompliance with the requirements of Sections 33-1506 or 33-1511(6), Idaho Code.
8. Managing the state's student transportation program to include planning, budgeting, and forecasting requirements for the operation.
9. Collecting and analyzing statistical and financial data.
10. Developing, preparing and organizing manuals, handbooks and written training programs for student transportation personnel.
11. Providing consulting services and assistance to local districts as necessary.

D. LOCAL SCHOOL DISTRICT OR CHARTER SCHOOL ADMINISTRATION

1. The local district or charter responsible for student transportation shall supervise the overall transportation operation within the respective district.
2. Assign adequately trained staff responsible for implementing and/or supervising a comprehensive student transportation program.
3. Ensure compliance with federal and state student transportation laws, regulations and policies, including drug/alcohol testing programs as required in the Omnibus

Transportation Employee Testing Act of 1991, and in compliance with 49 CFR Parts 40 and 382.

E. WRITTEN POLICIES

In compliance with Sections 33-1501 through 33-1512, Idaho Code, the local board of trustees or the governing body will establish and adopt a set of written policies governing the student transportation system, including policies for disabled students. Contracting school districts or charters shall ensure compliance to written policies by student transportation contractors. The district's or charter's written policies shall, at a minimum, include:

1. Student transportation operations, including participation in training programs for all transportation personnel.
2. The evaluation of school bus routes and the periodic evaluation of student transportation personnel. The transportation supervisor or the district's school bus driver trainer shall evaluate a minimum of once per year each route and each driver for the purpose of assessing driver performance and the safety of routes and bus stops (National School Transportation Specifications & Procedures, Identification and Evaluation of School Bus Route and Hazard Marking Systems). The time schedule for pickup and delivery of children shall be followed as accurately as possible. Documentation of the driver and route evaluation shall be retained in the driver's personnel file. The SDE staff shall develop and maintain model evaluation procedures and forms.
3. The investigation and reporting of accidents and other transportation problems. Drivers shall report all school bus accidents to local school authorities and the appropriate law enforcement agency in accordance with Title 49, Chapter 13 of Idaho Code. Subsequent to the accident or incident, a Uniform School Bus Accident/Injury or appropriate Incident Report Form shall be completed by the driver or transportation supervisor and submitted to the SDE within fifteen (15) days.
4. Providing supervision of loading and unloading areas at or near schools during unloading and loading of school buses. Schools shall provide an adequate number of supervisors for the size of the loading area and number of students present and ensure close, continuous and interactive supervision whenever students and/or buses are present in the loading area (Section 33-512(4), Idaho Code).
5. Each school district that provides activity bus transportation for students shall have comprehensive policies and guidelines regarding activity transportation (IDAPA 08.02.02.180).
6. Ensure that instruction in passenger safety, including student participation in practical emergency evacuation drills, is an integral part of the school curriculum. Instruction should comply with state requirements and/or Federal Highway Safety Guideline 17 and with 45 CFR Part 1310, as may be applicable, and should include, but not be limited

- to, the following:
- a. At least once each school semester, provide all passengers transported to and from schools in a school bus with instruction in the location and operation of all emergency exits. Also, provide supervised practical emergency exit drills to each student transported to or from schools in a school bus or school activity bus.
 - 1) Each bus route should have a written emergency evacuation plan. This plan should reflect each student's ability to evacuate or help others. Students with disabilities should participate in required evacuation drills and should only be excluded if their participation would present a health risk. Parents should be notified in advance of such barriers to their child's participation. Every effort should be made to ensure that ALL students have a reasonable understanding of the concept of an emergency and how they will exit the bus.
 - 2) The driver and the attendant must be familiar with any equipment in the bus that would aid in an actual evacuation, (e.g., the use of all emergency exits, emergency/fire blankets, webbing cutters, etc.). It is important to enlist the help of school liaisons, parents and other personnel (e.g., physical therapists) to train and help students and staff understand emergency procedures including how to exit the bus safely without the use of their mobility devices and equipment (wheelchair, etc.). Local emergency personnel should be involved in developing the plans, especially if the students transported have complex medical conditions.
 - b. Before departure on each activity trip, provide all passengers transported in a school bus, instruction on the location of all emergency exits and demonstrations of their operation. Instruction should include a general review of safe riding practices, rules and procedures.
 - c. Limit the amount of carry-on items, especially large items such as luggage, coolers, sports/band equipment, etc., in school buses. Aisles and emergency exits in school buses must be kept clear at all times. Any item that is brought on board must be safely stowed and secured away from any aisle or emergency exit. School districts shall develop policy identifying other perceived unsafe items prohibited from being transported in the passenger compartment of a school bus, such as skis, skateboards, large instruments, etc.
7. Ensure compliance with Electronic device regulations, meeting compliance with Federal Motor Carrier Safety Administration Regulations, 49 CFR Part 392.82.
 8. Student transportation operations shall be included in the district's service animals planning. Related training shall be provided to school bus drivers related to district plans (IEP, 504 Plan, definitions, handling, care, emergency evacuations, health certificates, etc.).

Transporters of pre-school age and older children in vehicles that use seat belt systems minimally should adhere to the following recommendations;

 - establish written policies and procedures for procurement, maintenance, cleaning and inspection of seat belt systems)
 - usage training

- retrofitting school buses with seat belt systems; and
- Emergency procedures.
- Develop training and procedures for personnel in the, use, care and upkeep of seat belt systems, and the use of seat belt cutters.

F. ADDITIONAL REQUIREMENTS NOT COVERED UNDER POLICIES

1. Provide the necessary library of resources to ensure that transportation personnel have the proper tools to operate a safe and efficient program. These resources include, but are not limited to:
 - a. Applicable federal, state and local laws, codes and regulations.
 - b. Applicable manuals and guidelines.
 - c. On-line connectivity for access to all internet and other resources.
 - d. Applicable trade journals and organizations' publications.
2. Provide contract management (if applicable). If a private carrier is utilized in a school transportation operation, it is imperative that a clear partnership is established with all parties. Clear expectations and contract review, along with on-going training, communication and practice/procedure development should be developed with a working partnership in mind.

G. PERSONNEL QUALIFICATIONS AND TRAINING

1. Prerequisite Qualifications and Job Descriptions
In compliance with FMCSA Regulations, 49 CFR Part 383, and Sections 33-130, 33-1508, and 33-1509, Idaho Code, the local board of trustees/administration will establish and adopt a set of written prerequisite qualifications and job descriptions governing student transportation personnel, which shall, at a minimum, include:
 - a. Completion of an application form, which includes a personal and occupational history;
 - b. A satisfactory driving record as revealed through pre-employment and annual checks with the state driver licensing division;
 - c. A satisfactory work history as verified through professional references; and
 - d. The ability to manage resources, students and personnel necessary to achieve a desired objective.
2. Insulin-Treated Diabetes Mellitus
In compliance with Federal Motor Carrier Safety Administration Regulations (Parts 381 and 383) and Section 33-1509, Idaho Code, the SDE Student Transportation staff will establish an exemption process governing student transportation personnel diagnosed with insulin-treated diabetes mellitus (ITDM). In considering exemptions, the Department must ensure that the issuance of diabetes exemptions will not be contrary to the public interest and that the exemption achieves an

acceptable level of safety. Applications must be submitted to the SDE Student Transportation staff using the application form.

3. School Bus Driver Training

- a. All new school bus drivers shall complete a prior-approved school bus training program and pass all knowledge tests contained in the SDE school bus driver classroom curriculum. Each new driver shall also be required ten (10) hours of practical training in a school bus with a minimum of six (6) hours of actual behind the wheel training. Each new driver shall perform an emergency evacuation practical and receive a driver evaluation before being allowed to drive a school bus loaded with students. As a support to school district personnel, the SDE staff shall develop and maintain model classroom and behind-the-wheel training methods and resources (Sections 33-1508, 33-1509, and 33-1511, Idaho Code).
- b. All experienced school bus drivers shall complete at least ten (10) hours refresher school bus driver training each fiscal school year. At least three (3) hours of pre-service training shall be provided before school begins in the fall. In addition, at least three (3) in-service training sessions shall be provided during the school year utilizing, at a minimum, thirty (30) minute, topic specific and documented, training blocks.
- c. School districts/contractors shall request documentation of all previous school bus driver training and driving experience, in accordance with Federal Motor Carrier Safety Administration CDL licensing requirements. Documentation of previous training, similar to SBOE training requirements, may be used to comply with new school bus driver training hours. Regardless of any previous out-of-district training, all newly hired school bus drivers shall have sufficient training provided by the hiring district or contractor, along with accompanying documentation, illustrating proficient school bus driving skills. If the district/contractor is unable to obtain documentation of previous school bus driver training, the individual shall complete the training requirements for new school bus drivers. If the applicant has gaps in excess of four (4) years of ongoing school bus driving experience, the individual shall complete the training requirements for new school bus drivers.

4. Student Transportation Personnel File

Each district that operates or contracts student transportation services shall cause to have filed for each school bus driver, in a secure area with limited access, the following information (Sections 33-1506, 33-1508 and 33-1509, Idaho Code):

- a. Copy of original application to drive school bus.
- b. Copy of Medical Examiner's Certificate, along with any applicable waivers.
- c. Historical training records should contain, at a minimum:
 1. Accurate information certifying attendance and satisfactory completion of all state, or district and or company required training; and
 2. Details about all topic specific school bus drivers training supported by a training program agenda, including the number of hours of instruction, date

- of instruction, instructor and drivers signature.
- d. Copy of SDE/Classroom Curriculum tests (11 total) with score of eighty percent (80%) or better. Plus:
 - 1. Classroom Training;
 - 2. Pre-Service;
 - 3. In-Service; and
 - 4. Behind-the-Wheel Training.
 - e. Copy of current commercial driver's license.
 - f. Copy of annual driving record check in compliance with CDL licensing requirements. The district shall request each fiscal year a driving record check report from the Idaho (or neighboring state or both states, as applicable) State Transportation Department, Motor Vehicles Division, for those individuals who are going to drive a school bus during the current fiscal school year. District/Contractor shall request a copy of a driver records check between July 1 and the first day of regular school (Section 33-701, Idaho Code).
 - g. Copy of all annual driver and route evaluations. New drivers shall have a driver evaluation before being allowed to drive a school bus loaded with students.
 - h. Copies of a driver emergency evacuation drills shall be maintained for a period of three (3) years.
5. Student Transportation Maintenance and Service Personnel
- a. Each district that operates or contracts student transportation services shall perform maintenance functions on a timely basis consistent with safe transportation and work environments (Section 33-1506, Idaho Code).
 - b. The SDE Student Transportation staff shall develop and maintain student transportation staffing guidelines designed to promote efficiency and cost containment. These guidelines shall be for informational purposes. School districts shall not be financially penalized when falling outside SDE staffing guidelines.

H. VEHICLE OPERATION

All school districts and school bus drivers must meet all operations and performance requirements in conformity with law and with rules and regulations of the Department of Law Enforcement and the SBOE (Section 33-1508, Idaho Code). The board of trustees or its designee shall be responsible for delineating in writing vehicle operations and the duties of bus drivers, which shall, at a minimum, include:

- 1. The driver shall ensure the safe condition of the school bus by conducting an initial and thorough daily pre-trip/post trip/child check school bus inspection. The district/contractor shall provide drivers with a pre-trip inspection form. The SDE staff shall develop and maintain a model pre-trip/post trip inspection form using nationally recognized criteria for the school bus pre-trip inspection. Each subsequent trip shall require an additional pre-trip school bus inspection, which at a minimum shall ensure

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- that all safety equipment is in working order, i.e. brakes, tires, all lighting systems, steering and horn. During post trip inspections, importance should be placed upon locating any sleeping students, articles left on the bus (Idaho CDL Manual, Section 10.2.6), and all defects which shall be reported by the school bus driver.
2. A school bus shall be backed only as a last resort. Buses shall not back to turn around on a public roadway, unless the local board finds there is no alternative to backing buses on certain roads. The local board then, by official action, may allow backing of school buses on certain public roadways (Section 33-1502, Idaho Code).
 3. No passenger shall be permitted to operate the school bus.
 4. The school bus driver shall not allow guns or inflammable or explosive substances such as gasoline to be carried on a school bus. Students are to only carry objects onto the bus that can fit safely within the seat compartment, preferably on the student's lap. The student shall not carry hazardous materials, objects, or animals (with the exception to IEP and 504 Plan service animals) on the bus.
 5. School bus drivers shall properly wear a seat belt whenever the bus is in motion.
 6. School bus doors shall remain closed while the bus is in motion. No school bus shall start in motion before all passengers have been seated. The driver shall require each passenger on the bus to be seated in a manufacturer's school bus passenger seat. No student shall be allowed to stand while the bus is in motion.
 7. School districts shall establish school bus stops in safe locations with at least one-hundred (100) yards clear visibility in both directions, whenever possible, and at least forty (40) feet from intersections, whenever possible. [No motor vehicle shall block an intersection (Section 49-660, Idaho Code). No bus stop shall be established less than one and one-half (1½) miles from the nearest appropriate school except when, in the judgment of the board of trustees, the age or health or safety of the student warrants (Sections 33-1501 and 33-1502, Idaho Code)]. [School districts shall establish policies and procedures for the review of bus stop locations and proximity to registered sex offenders identified residence. Such policies shall include review of bus stop location at least once per year and a minimum distance from such residences.](#)
 8. All school buses shall stop to load/unload passengers at designated bus stops in accordance with the law (Section 49-915 and 49-1422, Idaho Code). The SDE staff shall maintain model student loading/unloading training curriculum, the basis of which shall be in conformity with nationally recognized procedures (National School Transportation Specifications & Procedures). The student shall not leave or board the bus at locations other than the assigned home stop or assigned school unless arrangements for doing so have been approved by appropriate authority. Appropriate authority and the approval process shall be defined in local district policy.
 9. School bus drivers shall load and unload from the right side of the roadway. School bus drivers shall not allow students to cross roadways having more than three (3) lanes for purposes of loading or unloading and shall only load or unload students who live on the right side of such a roadway, except at locations having easily accessible traffic control signals (Section 49-1422, Idaho Code).
 10. When it is necessary for the student to cross the roadway, the driver shall require the

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- student to cross twelve (12) feet in front of the bus in accordance with state loading/unloading training curriculum. SDE endorses the joined fingers, open palm, single arm wave and eye contact with the driver for student crossing. Long steady blast of the horn is to be used as a danger signal.
11. School bus drivers shall report the license number of any vehicle, which violates any law endangering school children to his/her immediate supervisor (Section 33-1509, Idaho Code).
 12. Student transportation operations shall be included in the district's crises planning and related training shall be provided to school bus drivers related to district crises plans. School bus drivers shall remain vigilant and report suspicious behavior or conditions which could become harmful to students or be indicative of impending acts of terror. School bus drivers shall be provided training in homeland security awareness.
 13. A driver on a school bus route shall not leave an occupied bus. In case of a breakdown the driver shall request assistance via two-way communication whenever possible. Otherwise, the driver should ask a passing motorist to make contact with the district, send a school bus aide or at least two (2) responsible students to make contact with the district, or wait for help.
 14. Whenever it is necessary for the school bus driver to leave an unoccupied bus or leave the driver's seat of an occupied bus, he/she should shut off the motor, curb the wheels where appropriate, set the brakes and remove the ignition key.
 15. The school bus driver shall give consideration to engine idling during extended wait times. Consideration should be given to varying climate conditions. All buses equipped with an auxiliary heater shall not be allowed to idle for more than three (3) to five (5) consecutive minutes (**exceptions:** pre-trips, passenger stops.) Heater shall be used to provide pre-heated water in the cooling system for starting cold engines as well as providing heat to the passenger compartment during cold weather without running the engine. Reduced idling will reduce student transportation costs and improve air quality. Allowing engines to idle for more than three (3) minutes may cause districts (including contracted districts) to lose funding for purchasing fuel.
 16. All school and activity buses shall stop at all railroad grade crossings in accordance with the law (Sections 33-1508, 49-648 and 49-649, Idaho Code). The SDE staff shall develop and maintain railroad grade crossing training curriculum, the basis of which shall be in conformity with nationally recognized procedures (National School Transportation Specifications & Procedures).
 17. School districts shall limit on-duty and driving time of school bus drivers similar to the limitations imposed by the Federal Motor Carrier Safety Administration regulations for drivers of similar commercial motor vehicles. Drivers shall use FMCSA over-the-road hours-of-service trip logs, a trip agenda, or other trip documentation validating applicable driving hours on all out-of-district trips in excess of ~~one~~two-hundred (~~100~~200) miles (FMCSA Regulations, Hours of Service of Drivers).
 18. At no time shall a driver exceed sixty-five (65) miles per hour or a lesser posted speed limit.

I. STUDENT MANAGEMENT

1. Student transportation is another component in the school district's overall education program. An effective student transportation management program must have the support of the school district administration, school bus drivers, students, and parents. Each school district should institute a comprehensive student-management program that is designed to share the responsibility for student safety and well-being, as well as protecting the interests of all others involved in the program.
2. Every school district which operates a student transportation system shall have a written policy which sets forth the student's right to "due process" when disciplinary action is taken and defines the duties and responsibilities of students when taking advantage of student transportation. The school district's student transportation student management policy, including the duties and responsibilities of students, teachers and drivers shall be in concert with the district's written classroom policies (Section 33-512, Idaho Code).
3. School bus drivers shall establish proper rapport with students. Drivers should instruct students in appropriate behavior in accordance with the district's student management policy. Drivers should be aware that they represent the school system and present a positive image in dress, language, and manner.
4. The SDE staff shall develop and maintain model student management guidelines, suggested rules and regulations in its school bus driver training curriculum.

J. STUDENT ELIGIBILITY

1. Eligible Students
 - a. Student eligibility for state funded student transportation services is defined in Sections 33-1501, 33-1502, and 33-5208, Idaho Code.
 - b. A student with disabilities who's Individualized Education Plan (IEP) requires transportation is eligible for transportation as a related service (IDEA) under the Student Transportation Support Program regardless of distance from the school.
 - c. It is the aim of the SDE staff, in keeping with the "inclusion" concept, to arrange transportation for the student with disabilities as closely as possible to that of the student without disabilities. Whenever possible, students with disabilities will ride with students without disabilities on regular routes.
 - d. Students who attend school at an alternate location as assigned by the local board of trustees may be expected to walk reasonable distances between schools (Section 33-1501, Idaho Code). Transporting or shuttling students between schools or buildings in conjunction with non-reimbursable programs is a non-reimbursable expense and all such mileage shall be documented and tracked as non-reimbursable shuttle miles.
2. Ineligible Students

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- a. An ineligible student shall be defined as any properly enrolled public school student who does not otherwise meet ridership eligibility by virtue of school or district boundary, distance, age, health, or safety.
 - b. If a school district allows ineligible but properly enrolled public school students on a bus and their presence does not create an appreciable increase in the cost of the bus run, as determined by the SDE staff (in computing to and from school state allocations), the district shall not be penalized.
 - c. Ineligible students may ride existing bus runs, and to and from an existing bus stop, on a "space available" basis provided that neither time, mileage, or other appreciable cost is added as a result of this service. Ineligible students shall be reported as such on the bus ridership count report and are not eligible for additional rider count funding.
 - d. Properly enrolled students living in district of residence but attending school in a non-resident district, under the provisions of Section 33-1402, Idaho Code, Enrollment options, may be transported; however, all related "yellow school bus" mileage shall be reported as non-reimbursable. Exceptions shall be permitted when transporting student(s) to out-of-district school demonstrates cost effectiveness, as determined by the SDE staff, in which case the related mileage shall be reported as reimbursable. Other exceptions include but are not limited to mileage related to provisions of the McKinney-Vento Homeless Assistance Act. In any event, cooperative written agreements, as detailed in Section 33-1402, Idaho Code, shall be required.
3. Non-Public (Private or Parochial) School Students
- The cost of transporting non-public school students must be deducted when submitting the transportation reimbursement claim. Each school district must recover the full cost of transporting non-public school students, and in no event may that cost be determined to be zero (Section 33-1501, Idaho Code).
4. Non-Student Rider
- A non-student rider shall be defined as any transported person who is not properly enrolled in a pre-K through twelve school program. Each school district must recover the full cost of transporting non-students, except that dependent children of young mothers who are properly enrolled in a public school program, SDE student transportation staff, district supervisory personnel and/or administrators and aides may ride on to and from school bus routes. Other persons and teachers who have officially been appointed as chaperones may be allowed on a school bus for field and extracurricular trips. If the local district policy allows, exceptions may be made for passengers other than properly enrolled school students to ride the bus when special circumstances exist and space is available. An appropriate authority must give prior permission before non-students may ride. No eligible transported student is to be displaced or required to stand in order to make room for an ineligible, nonpublic, or non-student rider.

K. STUDENT TRANSPORTATION SUPPORT PROGRAM – FINANCIAL REPORTING

1. Each school district operates motor vehicles of many sizes and types, such as school buses, small and large trucks, cars for administration and driver education, pickups, delivery vans, and other miscellaneous small motor vehicles. All school district vehicle operating costs must be charged to the appropriate individual account or accounts according to their use. Costs for transporting eligible students to and from school or related activities shall be accounted for separately in accordance with SBOE approved procedures (Section 33-1006, Idaho Code, and IDAPA 08.02.02.004.150-190).
2. Section 33-1506, Idaho Code, requires the filing of inspections to the SDE of all school buses as defined in Section 33-1504 and 49-120 (5), Idaho Code. School buses shall not be removed from inventory to comply with Section 33-1506, Idaho Code, unless the bus is being decommissioned in accordance with Section 49-1422, Idaho Code.
3. Accurate mileage records shall be kept for reimbursable and non-reimbursable programs so eligible and non-eligible miles can be accurately determined. No indirect costs are allowed. Financial supporting documents shall be maintained throughout the fiscal year for each program category for audit purposes.
4. Annual odometer readings (end of day, June 30, or start of day, July 1) on all district owned or contracted “yellow school buses” used to transport students to and from school or related activities shall be annually submitted to the SDE staff upon request. No “yellow school bus” used to transport public school students shall be excluded.
5. School districts shall annually report all miles linked to a “yellow school bus” as reimbursable or non-reimbursable on Schedule C of the Student Transportation Reimbursement Claim Form.
6. Revenues generated from the use or lease of a district owned “yellow school bus” shall be reported as follows:
 - a. When the revenues correlate to reported “reimbursable” miles and their related costs, the revenue shall be reported on the student transportation reimbursement claim form under revenues received.
 - b. When the revenues correlate to reported “non-reimbursable” miles and their related costs, the revenue shall not be reported.
7. Each school district operating a student transportation system will maintain accurate records of operations including runs, run mileage, categorized bus mileage, student rider counts and other related costs on uniform record-keeping forms provided by the SDE staff.
8. The SDE Student Transportation staff shall conduct on-site spot inspections of school district student transportation operations at a frequency adequate to ensure compliance with state law, accuracy of data and reimbursement claims, and safety of school buses. Priority for selecting districts for review and audit shall be given to those districts that exceed both the most recent annual state average reimbursable cost per mile and the state average reimbursable cost per rider as calculated by the Department, unless the Supervisor of Student Transportation determines otherwise (Section 33-1511, Idaho Code). Adequate frequency shall be defined as, at least once

- every two (2) years.
9. The SDE Student Transportation staff shall, subsequent to on-site review and spot inspection, provide school district with a list of required corrective actions, as necessary. School districts shall submit to the SDE written corrective action plans at prescribed intervals until deficiencies are corrected or the corrective action no longer applies (subject to the provisions of Section 33-1511, Idaho Code).
 10. The SDE shall annually review school district student transportation claims and make available analyses of reported and adjusted costs, including specific cost trends, to individual school districts and charter schools in a secure website location or published document.
 11. Information will be made available to the SDE staff for audit purposes upon request. Information will be compiled and retained for a minimum of four (4) years, including the current fiscal year (Section 33-1006, Idaho Code).
 12. Districts will be notified of the outcome of the review. The notification document will include an appeals due date by which, if the district does not agree with the findings of the review, a written appeal may be filed by the district. The appeal shall include (additional) documentation the district wants SDE to consider as part of the appeals review. Upon further review of the appeals documentation, SDE may make adjustments to the review findings.

L. ADMINISTRATIVE AND PROGRAM OPERATION COSTS

1. The school district administrative reimbursement will be seven and one-half percent (7.5%) of all approved reimbursable operation costs for transporting students except administration costs, depreciation, and contracted services, as reported to the SDE staff on the Annual Student Transportation Claim for Reimbursement (Schedule B); or actual administrative costs, program operation costs, operation of plant, maintenance of plant, fixed costs, and other student transportation costs identified in Section 33-1006, Idaho Code, which are directly related, charged and reported as transportation costs to the SDE staff on the Annual Student Transportation Claim for Reimbursement (Schedule A).
2. Districts will be permitted flexibility in scheduling bus routes; however, before-school and after-school activity or other program busing that result in duplicating transportation service to a geographic area is not reimbursable, except that the Idaho Reading Indicator (IRI) shall be reimbursable under the Student Transportation Support Program.
3. All academic summer programs will be non-reimbursable under the Student Transportation Support Program, except transportation costs for Migrant Summer School, IRI and Extended Reading Intervention, Special Needs programs will be reimbursable.

4. The SDE staff shall develop support staffing (supervisor, driver trainer, secretary/dispatcher, etc.) and school bus inventory guidelines for school district student transportation operations.
5. The district will maintain accurate records of all bus routes and runs, including rider counts, mileage and other related operation and vehicle maintenance costs (Section 33-1006, Idaho Code). A “route” is defined as anything one bus does during the morning (a.m. route), midday (noon route), or afternoon (p.m. route) and may be comprised of one or more morning, midday, or afternoon to – from school “run(s).” SDE staff shall require school districts to submit tri-annually a data specific “route report” including but not limited to, number of riders. Additionally, for purposes of equity and accuracy, school districts shall take ridership counts on specific dates and frequency [minimum of ten (10) counts per school year] annually set by SDE staff, which shall be reported and submitted in a format approved by SDE staff.
6. If the local board of trustees authorizes the use of school buses to transport students to and from school-sponsored activities or field trips, the local board will use school buses that are in safe mechanical condition. No school bus shall be operated, loaded, or equipped in such a way as to constitute a hazard to the safety of the students being transported. School bus emergency egress systems shall remain operable and the bus aisle shall remain clear of obstruction while students are being transported (Section 33-1506, Idaho Code).
7. If the local board of trustees authorizes the use of non-conforming vehicles to transport students to and from school-sponsored activities or field trips, the local board will use vehicles that are in safe mechanical condition. No non-conforming vehicle shall be operated, loaded, or equipped in such a way as to constitute a hazard to the safety of the students being transported.
The district shall maintain accurate records of all trips in all school buses and non-conforming vehicles used in the transportation of students and transportation personnel, including the purposes of the trip, mileage and operation and vehicle maintenance costs. An annual odometer reading will be taken at the end of each fiscal school year (June 30) on all district owned vehicles used in the transportation of students. The district shall reconcile annual mileage reports with all recorded reimbursable and non-reimbursable program miles. School districts that contract for student transportation services shall report all reimbursable and non-reimbursable program miles. The district shall maintain accurate mileage records of all trips in all district owned non-conforming vehicles used for shuttling school bus drivers to and from their school buses for purposes of efficiency and cost containment. The district shall maintain accurate mileage records of all trips in all district-owned shop trucks and supervisor/trainer cars used in support of yellow school buses to repair school buses, deliver parts, and check road/route/bus stop conditions. Support mileage will be tracked separately and reimbursed at the State Board of Examiners rate established at the beginning of each school year. Mileage for transportation personnel home-to-work-to-home that is not cost effective in lieu of using a bus for home-to-work-to-home; or mileage in vans or other nonconforming vehicles used to transport students is non-

reimbursable. Field trips will be reimbursable when miles traveled by "yellow school buses" are approved school activities that are an integral part of the total education program, are class-curriculum driven and grade affected, occur during the regular school week and school year and extend not more than ~~one~~ two hundred (~~100~~200) miles beyond the boundaries of the state. (See SDE Field Trip Flow Chart and SISBO (Standards For Idaho School Buses & Operations for examples. Ref. <http://sde.idaho.gov/academic/standards/>) Mileage related to visits to colleges and universities is considered reimbursable field trip mileage if such visits are part of the school district college advising and mentoring plan. Mileage needs to be tracked as such. Field trips that are for non-graded student performance, social, recreational, competition, or reward purposes or incorporate overnight lodging or occur outside the regularly-scheduled (4 or 5 day) school week are not reimbursable, except that a local, non-competitive performance event held within the school district (e.g., musical performance) shall be reimbursable. The costs of transporting athletes or students to and from extracurricular activities are not reimbursable.

For all activities reimbursable under the transportation support program described above, any costs associated with the operation of non-SDE IBUS inventoried vehicles shall be removed from the total costs. Pursuant to Section 33-1006 (1), Idaho Code, non-SDE IBUS inventoried vehicles are not subject to SDE transportation program safety inspections, and therefore cannot be covered under the transportation support program. Costs associated with non-SDE IBUS inventoried vehicles shall be removed by pro-rating the percentage of total student transportation miles on non-SDE IBUS inventoried vehicles to the total student transportation fleet miles.

8. Shuttle trip mileage for educational programs is reimbursable, but shuttle trips between schools for extracurricular activities or at student request are not reimbursable. Activity buses that take students and/ or athletes home after regular school hours are non-reimbursable miles.
9. Maintenance mileage is reimbursable if tracked and identified as such on the claim form. Examples of maintenance mileage are taking buses to and from repair facilities and test drives of buses after repairs.
10. Training mileage is reimbursable if tracked and identified on the claim form. Training mileage pertains to mileage incurred for new and existing drivers' behind the-wheel and in-service training.

M. SAFETY BUSING

All school districts submitting applications for safety busing reimbursement approval shall have established a board policy for evaluating and rating all safety busing requests and shall have on file a completed measuring or rating instrument for all submitted requests (which shall include a break off point and ad hoc committee). The SDE staff shall develop and maintain a measuring instrument model, which shall include an element for validating contacts with responsible organizations or persons responsible for improving or minimizing

hazardous conditions. Each applying district will be required to annually affirm that conditions of all prior approved safety busing requests are unchanged. The local board of trustees shall annually, by official action (Section 33-1502, Idaho Code), approve all safety busing locations. School districts receiving state reimbursement of costs associated with safety busing will re-evaluate all safety busing sites at intervals of at least every three (3) years using the local board adopted measuring or scoring instrument. In order to qualify for reimbursement, the local school board will, by official action, approve the initial safety busing request and allow the students in question to be transported before the application is sent to the state. Consideration for reimbursement will be contingent on the application for safety busing being received by the SDE Student Transportation staff on or before March 1 of the school year in which the safety busing began.

N. CONTRACT FOR TRANSPORTATION SERVICES

1. School districts and charter schools that contract for services shall follow Section 33-1510, Idaho Code, and its requirements to obtain services.
2. School districts that contract shall require contractors to accurately track all mileage related to student transportation and said mileage shall not be considered to be proprietary. However, mechanisms and methodologies used in calculating actual costs for purposes of bidding (using district non-proprietary route mileages and route data) may be proprietary (Section 9-340d, Idaho Code).
3. School districts that contract for the provision of student transportation services must report actual contractual costs to SDE for reimbursement on the annual Student Transportation Reimbursement Claim form (Schedule C). In addition, school districts that contract for the provision of student transportation services may also report the costs of employing not more than one transportation contract manager for the administration of multiple transportation contracts for reimbursement on the annual Student Transportation Reimbursement Claim form (Schedule A). Notwithstanding, the total reimbursement to school districts that contract for the provision of student transportation services shall not exceed the limits provided under Idaho law (Section 33-1006(5), Idaho Code).
4. School districts that contract student transportation services and also operate a district-owned student transportation program may submit specific costs related to district salaries benefits, purchased services, supplies, etc. (Schedule A or Schedule B) when the costs can be reconciled to district-owned and operated school buses.
5. Accurate mileage and contract costs (reimbursable and non-reimbursable) must be reported and submitted annually. School districts that contract shall require contractors to accurately track all mileage related to student transportation.
6. Contracting school districts shall be responsible for determining and reporting reimbursable and non-reimbursable trip mileage and shall be able to reconcile all mileage to contractor invoices.

O. LEASING DISTRICT-OWNED BUSES

School districts will develop and use a policy approved by the local board of trustees delineating responsibility and use of rental or leased buses. Any costs to the district will not be reimbursable under the Transportation Support Program. A school district that allows a school bus to be operated by a non-district employee as part of a lease or rental agreement might not be insured under the terms of its insurance policy. Therefore, districts will maintain adequate liability insurance coverage on rented or leased buses and shall notify its insurance carrier when renting or leasing a school bus and shall request written confirmation of continued insurance coverage during the particular circumstances of the rental or lease arrangement. Districts will maintain accurate records on all district-owned leased buses, including mileage, to whom leased and revenues received (Section 33-1512, Idaho Code).

P. INELIGIBLE VEHICLES

Costs incurred when transporting students in any vehicle that does not meet all SBOE, state and federal standards for a school bus will not be reimbursable within the Transportation Support Program, except as permitted in Section 33-1006, Idaho Code.

Q. LIABILITY INSURANCE

1. Every policy or contract of insurance or comprehensive liability plan for each contractor-owned school bus shall provide that the insurance carrier pay on behalf of the insured local school district to a limit of not less than \$500,000 per person limited to \$3,000,000 for bodily or personal injury, death, or property damage or loss as the result of any one occurrence or accident, regardless of the number of persons injured or the number of claimants (Section 33-1507, Idaho Code).
2. Every policy or contract of insurance or comprehensive liability plan for each district-owned school bus will provide that the insurance carrier pay on behalf of the insured local school district to a limit of not less than \$500,000 for bodily or personal injury, death, or property damage or loss as the result of any one occurrence or accident, regardless of the number of persons injured or the number of claimants (Sections 6-924 and 33-1507, Idaho Code).

R. NON-TRADITIONAL EDUCATIONAL PROGRAMS

Costs of transporting students for purposes of accessing alternate, special or unique educational programs outside normal school hours or outside the normal school year are not reimbursable. However, districts will not be financially penalized for incorporating the

transportation of ineligible student riders into a reimbursable educational run when there is no subsequent appreciable increase in the allocation of transportation resources.

S. CAPITAL INVESTMENT

Purchase of school buses with approved reimbursable options and two-way voice communication radios installed in a new bus will be the only capital investment items allowed in the reimbursement program. Reasonable cellular telephone basic service contract costs and reasonable repeater service contract costs are reimbursable. No more than two (2) basic cellular telephone service contracts will be allowed per school district. Reimbursement for basic cellular telephone service contract costs in excess of two (2) must have prior approval. Mobile cellular telephone, additional cellular airtime, roaming and long distance charges are non-reimbursable costs. The cost of a cellular telephone may be reimbursable when the cost is in-lieu of a hard-wired two-way voice radio.

T. DEPRECIATION

1. Buses will be placed on a depreciation schedule after they have been inspected by SDE staff, delivered to the district, mileage reported from the district to SDE and entered into IBUS. When a bus is sold or traded prior to its life expectancy according to the district's SDE generated depreciation schedule, the district shall forfeit an amount equal to total depreciation received, minus depreciation calculated at straight-line method, plus fifty percent (50%) of the projected depreciation amount for the year in which the bus is sold or traded. Emergency circumstances resulting of property loss (school bus) or documented high maintenance costs ("lemon bus") may exempt a school district from this penalty (Section 33-1006, Idaho Code).
2. Before any newly acquired school bus is used for transporting students, it shall be inspected by a duly authorized representative of the SDE (Section 33-1506, Idaho Code).
3. Depreciation Ineligibility
Any used school bus purchased by a district will not be eligible for depreciation if the bus is over five (5) years old, using the body manufacturers and state inspection fiscal year dates. Used school buses new to the state no older than five (5) years will be placed on the district's depreciation schedule, using an accelerated declining balance method of calculating depreciation, which shall include a percentage rate equal to one, divided by the remaining years life expectancy of the bus [according to a life expectancy of ten (10) years], multiplied by two (2). Used bus depreciation maximums will be based on used bus values in the most current Yellow School Bus Book.
4. Depreciation Standards
In order to be eligible for depreciation and operation costs a school bus must meet all federal and Idaho minimum construction standards and SBOE. Further, the bus shall be

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assigned and used daily on to/from school routes, except those new buses purchased for spare, activity and field trip purposes may be placed on the district's depreciation schedule if they are also used on to/from school routes.

5. Retrofit Standards

- a. Any vehicle that has been retrofitted to be used as a school bus will meet current Idaho minimum construction standards.
- b. Any school bus that undergoes a partial retrofit will meet current Idaho minimum construction standards applicable to the retrofitted part(s).

6. Size Categories

All school buses will be categorized by actual capacity as follows:

- a. 85 or more students
- b. 73 - 84 students
- c. 59 - 72 students
- d. 47 - 58 students
- e. 35 - 46 students
- f. 20 - 34 students
- g. 01 - 19 students

7. Basic Bus

The SDE Student Transportation staff shall write bid specifications for the purpose of defining Idaho's basic school bus(es) and shall advertise for an indefinite contract, indefinite quantity bid. The bid award shall be used to establish a "depreciation reimbursement benchmark" for statewide district school bus purchases for specific size categories. For purposes of depreciation reimbursement, add-on bus component costs may be allowed specific to school district needs that are in accord with Section 33-1006, Idaho Code (Sections 33-601, 67-2803, and 67-2806, Idaho Code).

8. Life Expectancy

For depreciation purposes, all school buses will be categorized according to size and depreciated according to a twelve (12) year life expectancy or a life expectancy based on use and mileage, whichever is most advantageous to the school district (see SDE "Depreciation Calculator"). Lift-equipped buses will be categorized for purchase and depreciation purposes as if they had full seating capacity. The cost of activity bus options (e.g., air conditioning, athletic passenger seats, interior overhead storage compartments, etc.) will not be included when calculating depreciation.

9. Twelve Year Depreciation

The school bus depreciation schedule within the allowable costs of the Student Transportation Support Program, for school buses with life expectancy of twelve (12) years will be determined by using an accelerated declining balance method of calculating depreciation [declining balance schedule to include a percentage rate of 16.67 percent per year for useful life expectancy of twelve (12) years] (Section 33-1006, Idaho Code).

10. Use and Mileage Depreciation

The school bus use and mileage depreciation schedule within the allowable costs of the Student Transportation Support Program will be determined by using an accelerated

declining balance method of calculating depreciation (use and mileage declining balance schedule to include a variable percentage rate triggered by use and mileage categories as defined by the SDE Student Transportation staff). (See SDE "Depreciation Calculator.")

11. Purchase Price

- a. The purchase price of each bus will include the total chassis, body, special equipment, freight costs, pre-delivery inspection fees and any other costs directly related to acquiring the bus within the constraints of Idaho's basic bus specifications, indefinite contract/quantity bid award and Idaho Code. Costs of non-reimbursable options will be subtracted for purposes of calculating the district's reimbursable bus depreciation, as necessary (Sections 33-1006 and 33-1506, Idaho Code).
- b. Purchasers shall follow best practices for bidding school buses as outlined by SDE and published on the SDE website.
- c. Any or all bid quotations may be rejected by the school district; however, all bid prices will be evaluated and adjusted as necessary by the SDE Student Transportation staff. The lowest responsive and responsible bid will be used in calculating the district's depreciation reimbursement. Verifiable differences in school bus construction quality may be justification for bid rejection (Section 33-601, Idaho Code).
- d. If a school district chooses to purchase from a contract previously bid by the state of Idaho, one of its subdivisions, or an agency of the federal government as outlined above, the original bid solicitation advertisement shall include the public agency clause:

"Public Agency means any city or political subdivision of this state, including but not limited to counties; school districts; highway districts; port authorities; instrumentalities of counties; cities or any political subdivision created under the laws of the State of Idaho."

Terms, conditions, and contract prices shall be extended to State of Idaho agencies, departments, divisions, bureaus, universities, institutions, and so forth as per the specifications of the contract. Contract prices, terms, and conditions may be extended to other public agencies as defined in Section 67-2327 of the Idaho Code. The original bid advertisement shall call for an amount of indefinite buses.

- e. If a school district chooses to purchase from a contract previously bid the state of Idaho, one of its subdivisions, or an agency of the federal government as outlined above, the procurement of the property shall fall under Section 67-2803, Idaho Code which reads:

- 1) The acquisition of personal property when the procurement duplicates the price and substance of a contract for like goods or services that has been competitively bid by the state of Idaho, one (1) of its political subdivisions, or an agency of the federal government;

Duplication of the price and substance of a contract for like goods or services shall

mean the purchase of an identical bus for an identical price, with no exceptions to the features of the property and the price of the property.

Modifications made to the features and /or the price of the property will void the contract previously bid by state or its political subdivisions. The date of the subsequent purchase shall not exceed 365 days from the date of the original purchase.

12. School Bus Delivery Costs

- a. The SDE Student Transportation staff may consider (subject to the constraints of Idaho's basic bus specifications, indefinite contract/quantity bid award and Idaho Code) Freight on Board (FOB) district bus delivery costs reflected in school district bid specifications and subsequent vendor invoice to be considered part of the bus purchase price for purposes of depreciation reimbursement.
- b. Districts will not report any new school bus delivery mileage on the Student Transportation Reimbursement Claim form. Districts will record the initial mileage on all new school buses delivered to the district and will track and record all subsequent mileage for purposes of reimbursement.

13. Non-reimbursable Costs

No finance charges, leases, rent, or interest will be included in the purchase price. These are not reimbursable costs on the depreciation schedule. A school district that leases a school bus on a short-term emergency basis must receive prior approval, for purposes of reimbursement.

14. Inoperable Bus

Any school bus that is wrecked, sold, inoperable, or for any other reason does not or cannot meet all federal, state and SBOE construction and operational standards will be removed from the depreciation schedule. Revenues received subsequent to an insurance claim, associated with any district owned vehicle that receives state student transportation reimbursement consideration, shall be reported on the student transportation reimbursement claim form under revenues/reimbursements received or as a credit to the district's parts and supplies budget account.

15. Bus Trade-In

Trade-in values reflected in district bid specifications and subsequent invoicing will not be subtracted from the purchase price of the new bus for purposes of depreciation reimbursement.

U. DEPRECIATION ACCOUNT

1. All school bus depreciation money received by school districts from the state shall be placed into a separate account and used only for the purchase of school buses. Any revenue received by the school district subsequent to the sale of any used school bus will be placed into a separate account and used only for the purchase of school buses. Trade-in values reflected in district bid specifications and subsequent invoicing will not be subtracted from the purchase price of the new bus for purposes of depreciation reimbursement.

2. School districts shifting from district-owned to contracted transportation programs may use the funds previously placed into the bus depreciation account for any expenses pertaining to running a contracted transportation program.

V. PROGRAM SUPPORT

1. The SDE staff shall develop a “best practice” model and cost containment guidelines for school district student transportation operations, which shall include school bus lifecycle costing and school bus replacement models based on mileage, age and use criteria.
2. Purchasers shall follow best practices for bidding procedures as outlined by SDE and published on the SDE website.

W. REIMBURSEMENT/NON-REIMBURSEMENT MATRIX

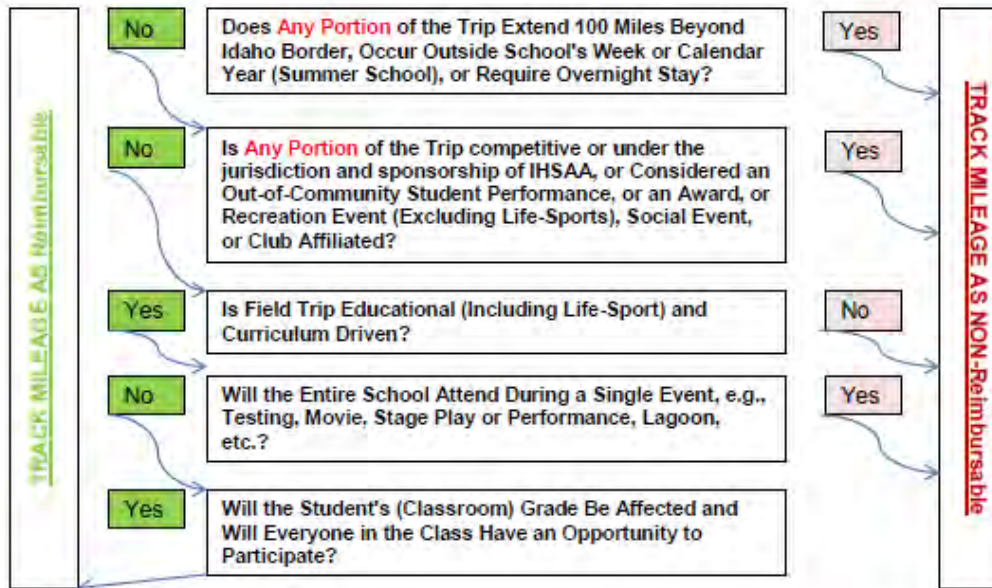
The SDE will, as a matter of policy, periodically publish and distribute a reimbursement matrix [of State Board of Education approved eligible reimbursements and rates of reimbursements](#).

X. APPEALS AND WAIVERS

1. The SBOE may grant a waiver of any rule not required by state or federal law to any school district upon written request, as provided in IDAPA 08.02.01.001. Written requests for such a waiver shall be submitted to the SDE Student Transportation staff using the waiver request form. The SDE staff shall submit the waiver request to the SBOE, along with any appropriate recommendation(s). All waiver requests must include supporting rationale and detailed justification for the 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.
2. A school district may appeal the application of the one hundred three percent (103%) limit on reimbursable costs to the SBOE, as provided in Section 33-1006(5), Idaho Code. Appeals must be submitted to the SDE Student Transportation staff using the appeal application form. The SDE shall submit the appeal to the SBOE, along with any appropriate recommendation(s). All appeals must include supporting documents demonstrating qualifying hardship bus runs (Section 33-1006, Idaho Code).

Appendix A

SDE Field Trip Flow Chart



All allowable costs (salaries, benefits, fuel, etc.) associated with all field trips and activity trips (reimbursable or non-reimbursable) taken on "yellow school buses" should be reported on the Student Transportation Reimbursement Claim Form. Cost associated with lodging and meals for drivers while on field trips are non-allowable costs and should be posted to a non-reimbursable account or sub-account (e.g., 100-682410-000 or 100-681410-001) and should NOT be reported on the Student Transportation Reimbursement Claim Form.

Revenues received from non-reimbursable field trips and/or leases should be posted to a plant facility fund for the replacement of school buses. Revenues received from reimbursable field trips should be reported on the Student Transportation Reimbursement Form under "Other Revenues Received."

Mileage related to visits to colleges and universities is considered reimbursable field trip mileage if such visits are part of the school district college and career advising and mentoring plan. Mileage needs to be tracked as such.

Shuttle trip mileages for educational programs are reimbursable miles, but shuttle trips between schools for extracurricular activities or at student request are not reimbursable. Activity buses that take students and/or athletes home after regular school hours are non-reimbursable miles.

Maintenance mileage is reimbursable if tracked and identified as such on the claim form. Examples of maintenance mileage are taking buses to and from repair facilities and test drives of buses after repairs.

Training mileage is reimbursable if tracked and identified on the claim form. Training mileage pertains to mileage incurred for new and existing drivers' behind-the-wheel and in-service training.

Revised October 2017

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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. (3-15-22)

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. (3-15-22)

002. -- 003. (RESERVED)

004. INCORPORATION BY REFERENCE.

The State Board of Education adopts and incorporates by reference into its rules: (3-15-22)

01. Standards for Idaho School Buses and Operations as approved on ~~November 15, 2017~~ August 24, 2022. 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>. (3-15-22)

02. 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>. (3-15-22)

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. (3-15-22)

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. (3-15-22)

03. Credential. The general term used to denote the document on which all of a person’s educational certificates and endorsements are listed. The holder is entitled to provide educational services in any and/or all areas listed on the credential. (3-15-22)

04. Endorsement. Term used to refer to the content area or specific area of expertise in which a holder is granted permission to provide services. (3-15-22)

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. (3-15-22)

06. Individualized Professional Learning Plan. An individualized professional development plan

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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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

09. Local Education Agency (LEA). An Idaho public school district or charter school pursuant to Section 33-5203(8), Idaho Code. (3-15-22)

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. (3-15-22)

a. To qualify as a paraprofessional the individual must have a high school diploma or general equivalency diploma (GED) and: (3-15-22)

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~~in the academic areas they are providing support in; or (3-15-22)

ii. Have completed at least two (2) years of study at an accredited postsecondary educational institution; or (3-15-22)

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~~in the academic areas they are providing support in. (3-15-22)

b. Individuals who do not meet these requirements will be considered school or classroom aides. (3-15-22)

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. (3-15-22)

11. Pedagogy. Teaching knowledge and skills. (3-15-22)

12. Portfolio. An organized collection of artifacts that demonstrates an individual's performance, growth, and/or reflection regarding their professional practice, in alignment with the applicable professional standards used for evaluation. (3-15-22)

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13. Practicum. Full-time or part-time supervised, industry-based experience in an area of intended career technical education teaching field to extend understanding of industry standards, career development opportunities, and application of technical skills. (3-15-22)

14. Semester Credit Hours. Two (2) semester credit hours are equivalent to three (3) quarter credit hours. (3-15-22)

15. Student Learning Objective (SLO). A measurable, long-term academic growth target that a teacher sets at the beginning of the year for all student or for subgroups of students. SLOs demonstrate a teacher's impact on student learning within a given interval of instruction based upon baseline data gathered at the beginning of the course. (3-15-22)

16. Student Teaching. Extensive, substantive, and supervised clinical practice in Pre-K-12 schools for candidates preparing to teach. (3-15-22)

17. Teacher Leader. A teacher who facilitates the design and implementation of sustained, intensive, and job-embedded professional learning based on identified student and teacher needs. (3-15-22)

18. 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. (3-15-22)

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. (3-15-22)

013. CERTIFICATION OF TEACHERS TRAINED IN FOREIGN INSTITUTIONS.

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. (3-15-22)

014. CERTIFICATES ISSUED TO APPLICANTS FROM REGIONALLY ACCREDITED INSTITUTIONS.

Idaho 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 in other states when they substantially meet the requirements for a standard Idaho educator certificate. (3-15-22)

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. (3-15-22)

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: (3-15-22)

a. Minimum Credit Hours. 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

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literacy plan; and

(3-15-22)

b. Student Teaching. Complete a minimum of ten (10) undergraduate or six (6) graduate semester credit hours, of student teaching; and

(3-15-22)

c. Complete a state board approved educator preparation program and receive an institutional recommendation from the program specifying the grade ranges and subjects for which the applicant is eligible to receive an endorsement;

(3-15-22)

i. To receive endorsement in two (2) fields of teaching, preparation must consist of completion 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 second field of teaching.

(3-15-22)

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

(3-15-22)

d. Meet or exceeded the state qualifying score on the state board approved content area and pedagogy assessments.

(3-15-22)

02. Standard Pupil Service Staff Certificate. Persons who serve as school counselors, school psychologists, school social workers, and school nurses 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, occupational therapist, or physical therapist may be required, as determined by the local educational agency, to hold the a Pupil Service Staff Certificate with respective endorsements for which they qualify.

(3-15-22)

a. School Counselor Endorsement. To be eligible for a School Counselor endorsement, a candidate must have satisfied the following requirements.

(3-15-22)

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

(3-15-22)

ii. An institutional recommendation is required for a School Counselor endorsement.

(3-15-22)

b. School Counselor – Basic Endorsement.

(3-15-22)

i. Individuals serving as a school counselor pursuant to Section 33-1212, Idaho Code, shall be granted a School Counselor – Basic 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.

(3-15-22)

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 endorsement. Renewal date will remain the same as the initial credential.

(3-15-22)

c. School Psychologist Endorsement. 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 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:

(3-15-22)

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i. Completion of an approved thirty (30) semester credit hour master's degree in education or psychology and completion of an approved thirty (30) semester 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; (3-15-22)

ii. Completion of an approved sixty (60) semester 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; (3-15-22)

iii. Completion of an approved sixty (60) semester 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 (3-15-22)

iv. Earn a current and valid National Certification for School Psychologists (NCSP) issued by the National Association of School Psychologists (NASP). (3-15-22)

d. Interim Certificate – School Psychologist Endorsement. This certificate will be issued to those who do not meet the educational requirements but hold a master’s degree or higher in psychology and are working toward a standard pupil service staff certificate with school psychologist endorsement. This certificate will be issued for three (3) years while the applicant is meeting the educational requirements or obtaining the applicable experience leading to certification. If the educational requirements cannot be met within the three (3)-year time frame of the certificate, the employing LEA may request one (1)-time renewal of this interim certificate for the applicant. (3-15-22)

e. School Nurse Endorsement. To be eligible for a school nurse endorsement, a candidate must complete one (1) of the following options: (3-15-22)

i. Possess 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. (3-15-22)

ii. 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. (3-15-22)

f. Interim Certificate - School Nurse Endorsement. This certificate will be issued to those who do not meet the educational and/or experience requirements but who hold a valid professional nursing (RN) license in Idaho. This non-renewable certificate will be issued for three (3) years while the applicant is meeting the educational or experience requirements. (3-15-22)

g. Speech-Language Pathologist Endorsement. 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. 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. (3-15-22)

h. Interim Certificate - Speech-Language Pathologist Endorsement. This certificate will be 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 certificate will be issued for three (3) years while the applicant is meeting the educational requirements. 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

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applicant holds a valid occupational license or is supervised by a speech-language pathologist with a standard pupil service certificate. (3-15-22)

i. Audiology Endorsement. 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. 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. (3-15-22)

j. School Social Worker Endorsement. To be eligible for a school social worker endorsement, a candidate must meet the following requirements: (3-15-22)

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 (3-15-22)

ii. An institutional recommendation from a state board approved program; and (3-15-22)

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 (3-15-22)

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. (3-15-22)

k. Occupational Therapist Endorsement. To be eligible for an occupational therapist endorsement, a candidate must have a current and valid occupational therapy license issued by the Occupational Therapy Licensure Board of Idaho. The candidate must maintain current and valid occupational therapy licensure for the endorsement to remain valid. (3-15-22)

l. Physical Therapist Endorsement. To be eligible for a physical therapist endorsement a candidate must have a current and valid physical therapy license issued by the Idaho Physical Therapy Licensure Board. The candidate must maintain current and valid physical therapy licensure for the endorsement to remain valid. (3-15-22)

03. Standard Administrator Certificate. Persons who serve 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 are assigned to conduct the summative evaluation of certified staff 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. (3-15-22)

a. School Principal Endorsement. To be eligible for the School Principal endorsement, a candidate must meet the following requirements: (3-15-22)

i. Hold a master's degree from an accredited college or university. (3-15-22)

ii. Have four (4) years of full-time certificated experience working with students, while under contract in an accredited school setting. (3-15-22)

iii. Complete an administrative internship in a state-approved program, or have one (1) year of experience as an administrator. (3-15-22)

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iv. Provide verification of completion of a state-approved program of at least thirty (30) semester 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 competencies in the Idaho Standards for School Principals. (3-15-22)

v. Receive an institutional recommendation for a School Principal endorsement. (3-15-22)

b. Superintendent Endorsement. To be eligible for the Superintendent endorsement, a candidate must meet the following requirements: (3-15-22)

i. Hold an education specialist or doctorate degree or complete a comparable post-master's sixth year program at an accredited college or university. (3-15-22)

ii. Have four (4) years of full-time certificated/licensed experience working with students while under contract in an accredited school setting. (3-15-22)

iii. Complete 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. (3-15-22)

iv. Provide verification of completion of an approved program of at least thirty (30) semester 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 must 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 superintendents and the Idaho Standards for School Principals. (3-15-22)

v. Receive an institutional recommendation for a Superintendent endorsement. (3-15-22)

c. Director of Special Education Endorsement. To be eligible for the Director of Special Education endorsement, a candidate must meet the following requirements: (3-15-22)

i. Hold a master's degree from an accredited college or university; (3-15-22)

ii. Have four (4) years of full-time certificated/licensed experience working with students Pre-K-12, while under contract in a school setting; (3-15-22)

iii. Provide verification of 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. (3-15-22)

iv. Have completed an administrative internship in the area of administration of special education; and (3-15-22)

v. An institutional recommendation is required for Director of Special Education endorsement. (3-15-22)

04. 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

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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. (3-15-22)

a. Standard Degree Based Career Technical 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: (3-15-22)

i. 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; (3-15-22)

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; (3-15-22)

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; (3-15-22)

iv. Completed a total of at least ten (10) undergraduate semester credit hours or six (6) graduate semester credit hours of student teaching; (3-15-22)

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; (3-15-22)

(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 second field of teaching. (3-15-22)

(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. (3-15-22)

vi. Met or exceeded the state qualifying score on the state board-approved content area and pedagogy assessments. (3-15-22)

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. (3-15-22)

b. Career Technical Education Program Administrator Certificate. The career technical education program administrator certificate is required for an individual serving as an administrator, director, or manager of career technical education programs in Idaho public schools. Individuals must meet one (1) of the two (2) following prerequisites to qualify for the career technical education program administrator certificate. 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. (3-15-22)

(1). Qualify for or hold an advanced occupational specialist 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 education finance, administration and supervision of personnel, and legal aspects of education; Remaining coursework may be selected

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from: administration and supervision of occupational programs; instructional supervision; administration internship; curriculum development; curriculum evaluation; research in curriculum; school community relations; communication; teaching the adult learner; coordination of work-based learning programs; and/or measurement and evaluation. (3-15-22)

(2) Hold a superintendent or principal endorsement on a standard administrator certificate and provide evidence of either a minimum of four (4) years teaching, three (3) of which must be in a career technical discipline; or successfully complete on the of a Division of Career Technical Education ~~twenty seven (27) month Idaho~~ career technical education leadership institute; ~~— or completion of course work including credits in: principles and foundations of career technical education, career technical student organizations, occupational analysis, curriculum design, one or more externships with career technical education industry advisor partners totaling 100 hours, and ongoing participation in technical advisory committee meetings associated with the school’s career technical education programs.~~ (3-15-22)

c. Industry-Based Occupational Specialist Certificate. 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: (3-15-22)

i. 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: (3-15-22)

(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; or (3-15-22)

(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 (3-15-22)

(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. (3-15-22)

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: (3-15-22)

(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. (3-15-22)

(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

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the three-year validity period of the interim certificate. (3-15-22)

ii. Standard Occupational Specialist Certificate. (3-15-22)

(1) This certificate is issued to individuals who have held a limited occupational specialist certificate and completed one (1) of the pathways for renewable certification. (3-15-22)

(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. (3-15-22)

iii. Advanced Occupational Specialist Certificate. This certificate is issued to individuals who are eligible for the Standard Occupational Specialist Certificate; and 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. 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. (3-15-22)

05. 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. (3-15-22)

a. To renew this certificate, the renewal application must be accompanied with a new written recommendation from the postsecondary institution (faculty's college dean level or higher). (3-15-22)

b. The candidate must meet the following qualifications: (3-15-22)

i. Hold a baccalaureate degree or higher in the content area being taught; (3-15-22)

ii. Be currently employed by the postsecondary institution in the content area to be taught; and (3-15-22)

iii. Complete and pass a criminal history background check as required by Section 33-130, Idaho Code. (3-15-22)

06. American Indian Tribal Language Certificate. 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 tribal language(s) in accordance with Section 33-1280, Idaho Code. To be eligible for an American Indian Tribal Languages certificate 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. (3-15-22)

07. Junior Reserved Officer Training Corps (Junior ROTC) Instructors. (3-15-22)

a. To be eligible for a Junior ROTC Instructor certificate, an applicant shall submit a complete application and provide a copy of their certificate(s) or letter of completion of an armed forces Junior ROTC training program. (3-15-22)

b. If approved the certificate shall be issued for five years and is renewable. (3-15-22)

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08. Additional Renewal Requirements. In addition to specific certificate or endorsement renewal requirements, applicants must meet the following renewal requirements as applicable: (3-15-22)

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: (3-15-22)

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. (3-15-22)

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. (3-15-22)

016. IDAHO INTERIM CERTIFICATE.

A three (3) year interim certificate may be issued to 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 [or alternative authorization](#) to ~~teacher~~ certification as prescribed herein. An interim certificate gives the holder the same rights and responsibilities as an individual with a standard certificate. (3-15-22)

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. An applicant must meet the requirements of the applicable alternate authorization route or non-traditional route to obtain a standard Idaho Educator Credential during the term of the interim certificate. (3-15-22)

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. (3-15-22)

a. Individuals who possess a baccalaureate degree or higher from an institution of higher education accredited by an entity recognized by the state board of education may receive an interim instructional certificate. To receive the interim certificate, the individual must: (3-15-22)

i. Complete or enroll in a state board approved program; and (3-15-22)

ii. Pass the state board approved pedagogy and content area assessment. (3-15-22)

b. Standard certification. Upon completion of the non-traditional route the applicant must complete a two (2) year state board approved teacher mentoring program and receive two (2) years of ~~successful Idaho~~ evaluations pursuant to Section 33-1001, Idaho Code [with a summative rating of proficient or better](#). (3-15-22)

03. Idaho Comprehensive Literacy Course. All Idaho teachers working on an interim certificate (alternate authorizations, nontraditional routes, reinstatement, or coming from out of state), must complete a state board approved Idaho Comprehensive Literacy course or assessment as a one-time requirement for standard instructional certificate. (3-15-22)

04. Teaching For Mathematical Thinking. All Idaho teachers or administrators working on an interim

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certificates (alternate authorizations, nontraditional routes, reinstatements or coming from out of state), with an All Subjects (K-8) endorsement, any mathematics endorsement, Exceptional Child Education endorsement, Blended Early Childhood/Early Childhood Special Education endorsement, or Administrator certificate must complete the state board approved Teaching for Mathematical Thinking, course, as a one-time requirement for full certification. (3-15-22)

05. Reinstatement of Expired Certificate. An individual holding an expired Idaho certificate may be issued an interim certificate. During the validity period of the interim certificate, the applicant must meet the following requirements to obtain standard certification during the term of the interim certificate: (3-15-22)

a. Two (2) years of ~~successful~~ Idaho evaluations ~~as per Section 33-1001, Idaho Code, as applicable to the type of certification, with a summative rating of proficient or better.~~ (3-15-22)

b. Measured annual progress on specific goals identified on the applicant's Individualized Professional Learning Plan. (3-15-22)

c. Completion of six (6) credit renewal requirement. (3-15-22)

d. Completion of the Idaho Comprehensive Literacy Course or Teaching for Mathematical Thinking as provided herein. (3-15-22)

06. 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. (3-15-22)

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. (3-15-22)

02. Idaho Comprehensive Literacy Assessment. All applicants for initial Idaho certification 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. (3-15-22)

018. -- 020. (RESERVED)

021. ENDORSEMENTS.

Holders of an Instructional Certificate or Occupational Specialist Certificate 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 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

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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 established by the state board of education and meet or exceed the state qualifying score on a state approved content, pedagogy and performance assessments. (3-15-22)

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. (3-15-22)

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: (3-15-22)

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. (3-15-22)

b. Option II -- 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 of a one (1) year, state board approved mentoring program is required to maintain the endorsement after the first year. (3-15-22)

c. Option III -- Content area assessment and mentoring. A candidate may add an endorsement by successfully completing a state board-approved content areas assessment and a one-year, state board-approved mentoring program within the first year of authorization. (3-15-22)

d. [For all candidates moving to an initial certification in a career technical education endorsement area, the candidate will be required to complete or have completed coursework in principles and foundations of career technical education and career technical student organizations, training in occupational analysis and curriculum design, and a minimum of 200 internship/externship hours in career technical education endorsement area.](#)

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. (3-15-22)

022. -- 027. (RESERVED)

028. PROFESSIONAL ENDORSEMENTS.

The professional endorsement is required for movement on the professional compensation rung of the career ladder and the advanced professional endorsement is requirement 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. (3-15-22)

01. 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. (3-15-22)

02. Validity of Evidence. Evidence provided must show that the certificated staff member met each of

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the proficiency and student achievement requirements in each year required.

(3-15-22)

03. 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.

(3-15-22)

029. -- 041. (RESERVED)

042. ALTERNATIVE AUTHORIZATION.

Alternative authorization allows a local education agency with an area of need to request certification for a candidate. This authorization grants an interim certificate that allows individuals to serve as the teacher of record while pursuing standard certification. Evidence of satisfactory progress toward standard certification must be provided each year. Individuals who hold a current instructional certificate may obtain additional endorsements through an alternative authorization – teacher to new endorsement as prescribed in Subsection 021 of these rules.

(3-15-22)

01. Alternative Authorization -- Teacher ~~To~~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 certificate in a new certification area.

(3-15-22)

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

(3-15-22)

b. The candidate must participate in a state board- approved educator preparation program.

(3-15-22)

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

(3-15-22)

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

(3-15-22)

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 a content area.

(3-15-22)

a. Initial Qualifications.

(3-15-22)

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

(3-15-22)

ii. Prior to entering the classroom, the local education agency shall ensure the candidate is qualified to teach in the content area. 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.

(3-15-22)

b. State Board Approved Educator Preparation Program.

(3-15-22)

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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; (3-15-22)

ii. The candidate must complete a minimum of nine (9) semester credit hours or its equivalent of accelerated study in education pedagogy prior to the end of the first year of authorization. The number of required credits will be specified in the consortium developed plan; and (3-15-22)

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 or equivalent annually to maintain eligibility for renewal. The candidate must complete the plan to receive a certificate of completion. (3-15-22)

[c. Career Technical Education Industry-based Route Plan. Local education agencies with candidates seeking a limited occupational specialist certification may request approval, with an approved division of career technical education alternative authorization route plan, to meet the program of study requirements.](#) ()

03. Alternative Authorization - Pupil Service Staff. This alternative authorization allows a local education agency to request certification and endorsement for a candidate when a position requiring the Pupil Service Staff Certificate cannot be filled. (3-15-22)

a. Initial Qualifications. The applicant must complete the following: (3-15-22)

i. Prior to application, a candidate must hold a baccalaureate degree or higher; and (3-15-22)

ii. The local education agency must attest to the ability of the candidate to fill the position. (3-15-22)

b. Educator Preparation Program. (3-15-22)

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. (3-15-22)

ii. The candidate must complete a minimum of nine (9) semester credits or equivalent annually to maintain eligibility for renewal. (3-15-22)

iii. The participating educator preparation program will provide procedures to assess and credit equivalent knowledge, dispositions, and relevant life/work experiences. (3-15-22)

iv. The candidate must meet all requirements for the endorsement/certificate as provided herein. (3-15-22)

04. Alternative Authorization Renewal. Annual continuation will be based on the school year and satisfactory progress toward completion of the applicable alternate authorization requirements. (3-15-22)

043. -- 059. (RESERVED)

060. APPLICATION PROCEDURES / PROFESSIONAL DEVELOPMENT.

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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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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 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. (3-15-22)

b. Credits taken for certificate renewal must be related to the individualized professional learning plan or the professional practice of the applicant. (3-15-22)

i. Credits must be specifically tied to content areas and/or an area of any other endorsement; or (3-15-22)

ii. Credits must be specific to pedagogical best practices or for administrative/teacher leadership; or (3-15-22)

iii. Credits must be tied to a specific area of need designated by local education agency administration. (3-15-22)

iv. Credits must be taken during the validity period of the certificate. (3-15-22)

c. All requests for equivalent in-service training to apply toward renewal, except occupational specialist certificates, must be approved by the local education agency. Individuals holding Occupational Specialist Certificates must make requests through the Division of Career Technical Education. Applicants must receive approval for in-service training and course work prior to applying for renewal. All in-service training must be aligned with the applicant's individualized professional learning plan or related to professional practice. Fifteen (15) contact hours are equivalent to one (1) semester credit. (3-15-22)

d. 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. (3-15-22)

e. Renewal credits may not be carried over from one (1) renewal period to the next. (3-15-22)

03. Professional Development Plans. Local education agencies will have professional development plans. (3-15-22)

061. -- 065. (RESERVED)

066. FEES.

The state Department of Education shall maintain a record of all certificates issued, showing names, dates of issue and renewal, and if revoked, the date thereof and the reason therefor. A nonrefundable fee shall accompany each

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application for a prekindergarten through grade twelve (12) certificate, alternate certificate, change in certificate or replacement as follows: (3-23-22)

- 01. Initial Certificate.** All types, issued for five (5) years -- seventy-five dollars (\$75). (3-23-22)
- 02. Renewal Certificate.** All types, issued for five (5) years -- seventy-five dollars (\$75). (3-23-22)
- 03. Alternate Route Authorization.** All types, issued for one (1) year -- one hundred dollars (\$100). (3-23-22)
- 04. Additions or Changes During the Life of an Existing Certificate.** Twenty-five dollars (\$25). (3-23-22)
- 05. To Replace an Existing Certificate.** Ten dollars (\$10). (3-23-22)

067. -- 074. (RESERVED)

075. FINGERPRINTING AND BACKGROUND INVESTIGATION CHECKS (SECTIONS 33-130 AND 33-512, IDAHO CODE).

All individuals who are required by the provisions of Section 33-130, Idaho Code, must undergo a background investigation check. (3-23-22)

01. Definitions. (3-23-22)

a. Applicant. An individual completing a background investigation check as identified in Subsection 075.02 of these rules. (3-23-22)

b. Background Investigation Check. The submission of a completed applicant fingerprint card or scan by an authorized entity submitted under an enacted state statute/local ordinance or federal law, approved by the Attorney General of the United States allowing a search of the state and federal criminal history indices for non-criminal justice purposes including employment suitability, licensing determinations, immigration and naturalization matters, and national security clearances. (3-23-22)

c. Background Investigation Check Result. The response to a state and federal background investigation check initiated by a fingerprint submission from an authorized entity for non-criminal justice purposes. Results are returned to the submitting authorized entity by the state criminal history repository (Idaho State Police Bureau of Criminal Investigation). (3-23-22)

d. Break-in-Service. A voluntary or involuntary termination in employment, including retirement. (3-23-22)

e. Candidate. An individual attending a postsecondary program. (3-23-22)

f. Contractor. An agency, company/business, or individual that has signed a contract or agreement to provide services to an LEA and private or parochial school. (3-23-22)

g. Employee. A person who is hired for a wage, salary, fee, or payment to perform work for an employer. (3-23-22)

h. Fingerprint Card or Scan. The process for obtaining impressions of an individual's fingerprint images, both ten (10) individual finger impressions rolled from nail to nail and slap or flat impressions taken simultaneously without rolling. Fingerprints may be recorded utilizing either an inked standard fingerprint card or using a livescan device. Standard fingerprint cards may also be scanned for submission to the state repository for background investigation check purposes. (3-23-22)

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i. Rejected Fingerprint Cards or Scans. A fingerprint card or scan that has been returned by the Idaho State Police Bureau of Criminal Identification or Federal Bureau of Investigation for poor quality prints. (3-23-22)

j. Unsupervised Contact. Direct contact or interaction with students not under the direct supervision of an LEA employee in a K-12 setting. This includes contact or interaction with students in scheduled school activities that occur outside of the school or outside of normal school hours. (3-23-22)

02. Individuals Required to Complete a Background Investigation Check. (3-23-22)

a. All applicants for certificates; (3-23-22)

b. Certificated and noncertificated employees; (3-23-22)

c. Substitute teachers; (3-23-22)

d. Contractors who have unsupervised contact with students in a public K-12 setting, including contractors who are providing student services; (3-23-22)

e. Student teachers or any postsecondary candidates who have unsupervised contact with students in a public K-12 setting; (3-23-22)

f. Volunteers who have unsupervised contact with students in a public K-12 setting; (3-23-22)

g. Any individuals who have unsupervised contact with students in a public K-12 setting. (3-23-22)

03. Fee. The State Department of Education shall charge a fee for undergoing a background investigation check pursuant to Section 33-130, Idaho Code. (3-23-22)

04. Rejected Fingerprint Cards or Scans. (3-23-22)

a. When a fingerprint card has been rejected a new completed fingerprint card is required. (3-23-22)

b. The rejected fingerprint card will be sent back to the originating LEA, private or parochial school, contractor, postsecondary program, or individual. (3-23-22)

c. A new fingerprint card must be completed by a law enforcement agency to ensure legible fingerprints. Both the rejected fingerprint card and the new fingerprint card must be returned to the State Department of Education within thirty (30) calendar days. (3-23-22)

d. If the new fingerprint card and rejected fingerprint card are returned after thirty (30) calendar days, a fee, pursuant to Subsection 075.03 of these rules, is required to be paid. (3-23-22)

05. Secured Background Investigation Check Website. The State Department of Education will maintain a background investigation check website listing the background investigation check results for review by the LEA, private or parochial school, contractor or postsecondary program. Each LEA, private or parochial school, contractor and postsecondary program will have access to the background investigation check secure site listing their employees, statewide substitute teacher list, and student teacher list. (3-23-22)

06. Background Investigation Checks for Certification. (3-23-22)

a. The State Department of Education will make the final determination if an applicant is eligible for Idaho certification. (3-23-22)

b. If the State Department of Education makes a determination that the applicant is not eligible for

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Idaho certification, the State Department of Education may deny the applicant Idaho certification. Upon receiving the written denial, the applicant may request a hearing pursuant to Section 33-1209, Idaho Code. (3-23-22)

07. Substitute Teachers. Substitute teachers as defined in Section 33-512(15), Idaho Code, must undergo a background investigation check. The State Department of Education shall maintain a statewide substitute teacher list. To remain on the list a substitute teacher shall undergo a background investigation check every five (5) years in accordance with Section 33-512, Idaho Code. (3-23-22)

08. Break In Service. (3-23-22)

a. When an employee returns to any LEA, private or parochial school, or contractor after a break in service, a new background investigation check must be completed pursuant to Section 33-130, Idaho Code. (3-23-22)

b. When an employee changes employment between LEAs a new background investigation check must be completed pursuant to Section 33-130, Idaho Code. (3-23-22)

09. Postsecondary. (3-23-22)

a. The postsecondary program will submit a completed fingerprint card or scan for all candidates who are applying for unsupervised contact with students in a public K-12 setting including student teaching, internships, or other types of candidate training. (3-23-22)

b. The State Department of Education will make a preliminary determination based on the CHC result if the candidate is eligible for certification in Idaho. This decision will be forwarded to the postsecondary program concerning the eligibility of their candidate. (3-23-22)

076. CODE OF ETHICS FOR IDAHO PROFESSIONAL EDUCATORS (SECTIONS 33-1208 AND 33-1209, IDAHO CODE).

Believing in the worth and dignity of each human being, the professional educator recognizes the supreme importance of pursuing truth, striving toward excellence, nurturing democratic citizenship and safeguarding the freedom to learn and to teach while guaranteeing equal educational opportunity for all. The professional educator accepts the responsibility to practice the profession according to the highest ethical principles. The Code of Ethics for Idaho Professional Educators symbolizes the commitment of all Idaho educators and provides principles by which to judge conduct. (3-15-22)

01. Aspirations and Commitments. (3-15-22)

a. The professional educator aspires to stimulate the spirit of inquiry in students and to provide opportunities in the school setting that will help them acquire viable knowledge, skills, and understanding that will meet their needs now and in the future. (3-15-22)

b. The professional educator provides an environment that is safe to the cognitive, physical and psychological well-being of students and provides opportunities for each student to move toward the realization of his goals and potential as an effective citizen. (3-15-22)

c. The professional educator, recognizing that students need role models, will act, speak and teach in such a manner as to exemplify nondiscriminatory behavior and encourage respect for other cultures and beliefs. (3-15-22)

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. (3-15-22)

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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. (3-15-22)

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. (3-15-22)

02. Principle I - Professional Conduct. A professional educator abides by all federal, state, and local education laws and statutes. Unethical conduct shall include the conviction of any felony or misdemeanor offense set forth in Section 33-1208, Idaho Code. (3-15-22)

03. Principle II - Educator/Student Relationship. A professional educator maintains a professional relationship with all students, both inside and outside the physical and virtual classroom. Unethical conduct includes, but is not limited to: (3-15-22)

a. Committing any act of child abuse, including physical or emotional abuse; (3-15-22)

b. Committing any act of cruelty to children or any act of child endangerment; (3-15-22)

c. Committing or soliciting any sexual act from any minor or any student regardless of age; (3-15-22)

d. Committing any act of harassment as defined by local education agency policy; (3-15-22)

e. Soliciting, encouraging, or consummating a romantic relationship (whether written, verbal, virtual, or physical) with a student, regardless of age; (3-15-22)

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; (3-15-22)

g. Using inappropriate language including, but not limited to, swearing and improper sexual comments (e.g., sexual innuendos or sexual idiomatic phrases); (3-15-22)

h. Taking or possessing images (digital, photographic, or video) of students of a harassing, confidential, or sexual nature; (3-15-22)

i. Inappropriate contact with any minor or any student regardless of age using electronic or social media; (3-15-22)

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; (3-15-22)

k. Conduct that is detrimental to the health or welfare of students; and (3-15-22)

l. Deliberately falsifying information presented to students. (3-15-22)

04. Principle III - Alcohol and Drugs Use or Possession. A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice. Unethical conduct includes, but is not limited to: (3-15-22)

a. Being on school premises or at any school-sponsored activity, home or away, involving students

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while possessing, using, or consuming illegal or unauthorized drugs; (3-15-22)

b. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming alcohol; (3-15-22)

c. Inappropriate or illegal use of prescription medications on school premises or at any school-sponsored events, home or away; (3-15-22)

d. Inappropriate or illegal use of drugs or alcohol that impairs the individual's ability to function; and (3-15-22)

e. Possession of an illegal drug as defined in Chapter 27, Idaho Code, Uniform Controlled Substances. (3-15-22)

05. Principle IV - Professional Integrity. A professional educator exemplifies honesty and integrity in the course of professional practice. Unethical conduct includes, but is not limited to: (3-15-22)

a. Fraudulently altering or preparing materials for licensure or employment; (3-15-22)

b. Falsifying or deliberately misrepresenting professional qualifications, degrees, academic awards, and related employment history when applying for employment or licensure; (3-15-22)

c. Failure to notify the state at the time of application for licensure of past revocations or suspensions of a certificate or license from another state; (3-15-22)

d. Failure to notify the state at the time of application for licensure of past criminal convictions of any crime violating the statutes or rules governing teacher certification; (3-15-22)

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.); (3-15-22)

f. Falsifying, deliberately misrepresenting, or deliberately omitting reasons for absences or leaves; (3-15-22)

g. Falsifying, deliberately misrepresenting, or deliberately omitting information submitted in the course of an official inquiry or investigation; (3-15-22)

h. Falsifying, deliberately misrepresenting, or deliberately omitting material information on an official evaluation of colleagues; and (3-15-22)

i. Failure to notify the state of any criminal conviction of a crime violating the statutes and/or rules governing teacher certification. (3-15-22)

06. Principle V - Funds and Property. A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes, but is not limited to: (3-15-22)

a. Misuse, or unauthorized use, of public or school-related funds or property; (3-15-22)

b. Failure to account for school funds collected from students, parents, patrons, or other donors from all sources, including online donation platforms; (3-15-22)

c. Submission of fraudulent requests for reimbursement of expenses or for pay; (3-15-22)

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- d.** Co-mingling of public or school-related funds in personal bank account(s); (3-15-22)
 - e.** Use of school property for private financial gain; (3-15-22)
 - f.** Use of school computers to deliberately view or print pornography; and, (3-15-22)
 - g.** Deliberate use of poor budgeting or accounting practices. (3-15-22)
- 07. Principle VI - Compensation.** A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes, but is not limited to: (3-15-22)
- a.** Unauthorized solicitation of students or parents of students to purchase equipment, supplies, or services from the educator who will directly benefit; (3-15-22)
 - b.** Acceptance of gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest; (3-15-22)
 - c.** Tutoring students assigned to the educator for remuneration unless approved by the local board of education; and, (3-15-22)
 - d.** Soliciting, accepting, or receiving a financial benefit greater than fifty dollars (\$50) as defined in Section 18-1359(b), Idaho Code. (3-15-22)
 - e.** Keeping for oneself donations, whether money or items, that were solicited or accepted for the benefit of a student, class, classroom, or school. (3-15-22)
- 08. Principle VII - Confidentiality.** A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law. Unethical conduct includes, but is not limited to: (3-15-22)
- a.** Sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status or income, and assessment or testing results with inappropriate individuals or entities; and (3-15-22)
 - b.** Sharing of confidential information about colleagues obtained through employment practices with inappropriate individuals or entities. (3-15-22)
- 09. Principle VIII - Breach of Contract or Abandonment of Employment.** A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes, but is not limited to: (3-15-22)
- a.** Abandoning any contract for professional services without the prior written release from the contract by the employing local education agency; (3-15-22)
 - b.** Willfully refusing to perform the services required by a contract; and, (3-15-22)
 - c.** Abandonment of classroom or failure to provide appropriate supervision of students at school or school-sponsored activities to ensure the safety and well-being of students. (3-15-22)
- 10. Principle IX - Duty to Report.** A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators and submits reports as required by Idaho Code. Unethical conduct includes, but is not limited to: (3-15-22)
- a.** Failure to comply with Section 33-1208A, Idaho Code, (reporting requirements and immunity);

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- b.** Failure to comply with Section 16-1605, Idaho Code, (reporting of child abuse, abandonment or neglect); (3-15-22)
- c.** Failure to comply with Section 33-512B, Idaho Code, (suicidal tendencies and duty to warn); and (3-15-22)
- d.** Having knowledge of a violation of the Code of Ethics for Idaho Professional Educators and failing to report the violation to an appropriate education official. (3-15-22)

11. Principle X - Professionalism. A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities while following generally recognized professional principles. Unethical conduct includes, but is not limited to: (3-15-22)

- a.** Any conduct that seriously impairs the Certificate holder's ability to teach or perform his professional duties; (3-15-22)
- b.** Committing any act of harassment toward a colleague; (3-15-22)
- c.** Failure to cooperate with the Professional Standards Commission in inquiries, investigations, or hearings; (3-15-22)
- d.** Using institutional privileges for the promotion of political candidates or for political activities, except for local, state or national education association elections; (3-15-22)
- e.** Willfully interfering with the free participation of colleagues in professional associations; and (3-15-22)
- f.** Taking, possessing, or sharing images (digital, photographic, or video) of colleagues of a harassing, confidential, or sexual nature. (3-15-22)

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. (3-15-22)
- 02. Allegation.** A purported violation of the Code of Ethics for Idaho Professional Educators or Idaho Code. (3-15-22)
- 03. Certificate Denial.** The refusal of the state to grant a certificate. (3-15-22)
- 04. Certificate Suspension.** A time-certain invalidation of any Idaho certificate. (3-15-22)
- 05. Conditioned Certificate.** Stated Certificate conditions as determined by the Professional Standards Commission (Section 33-1209(02), Idaho Code). (3-15-22)
- 06. Educator.** A person who held, holds, or applies for an Idaho Certificate (Section 33-1201, Idaho Code). (3-15-22)
- 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). (3-15-22)
- 08. Executive Committee.** A decision-making body comprised of members of the Professional

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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. (3-15-22)

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. (3-15-22)

10. Hearing Panel. A minimum of three (3) educators appointed by the chair of the Professional Standards Commission and charged with the responsibility to make a final determination regarding the charges specifically defined in the Administrative Complaint. (3-15-22)

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. (3-15-22)

12. No Probable Cause. A determination by the Executive Committee that there is not sufficient evidence to take action against an educator's certificate. (3-15-22)

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. (3-15-22)

14. Probable Cause. A determination by the Executive Committee that sufficient evidence exists to issue an administrative complaint. (3-15-22)

15. Reprimand. A written letter admonishing the Certificate holder for their conduct. (3-15-22)

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. (3-15-22)

17. Revocation. The invalidation of any Certificate held by the educator. (3-15-22)

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. (3-15-22)

078. -- 099. (RESERVED)

100. OFFICIAL VEHICLE FOR APPROVING EDUCATOR PREPARATION PROGRAMS.

01. The Official Vehicle for the Approval of Traditional Educator Preparation Programs. Traditional educator preparation programs will be accredited by an accrediting body that approves educator preparation programs and is recognized by the state board of education and meets the [board](#) approved Idaho Standards for the Initial Certification of Professional School Personnel. 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. (3-15-22)

02. Non-Traditional Educator Preparation Program. To be considered for approval each non-traditional educator preparation program must include the following components: (3-15-22)

a. Assessment of pedagogy and content knowledge; and (3-15-22)

b. Alignment to the Idaho Standards for the Initial Certification of Professional School Personnel. (3-15-22)

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03. Reference Availability. The Idaho Standards for the Initial Certification of Professional School Personnel, are available for inspection on the Office of the State Board of Education’s website at www.boardofed.idaho.gov. (3-15-22)

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. (3-15-22)

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: (3-15-22)

a. The Professional Standards Commission pay for all state review team expenses for on-site teacher preparation reviews from its budget. (3-15-22)

b. Requesting institutions pay for all other expenses related to on-site educator preparation program reviews, including all standards review. (3-15-22)

101. -- 109. (RESERVED)

110. PERSONNEL STANDARDS.

The State Board of Education supports the efforts made by the Idaho Legislature to lower class size. Significant progress has been made in grades one through three (1-3). The State Board of Education believes that class sizes in grades four through six (4-6) are too high. Districts are encouraged to lower all class sizes as funds become available. Each district will develop personnel policies and procedures to implement the educational program of the district. The policies and procedures will address representation in each of the following personnel areas, as appropriate to student enrollment and the needs of each attendance area. Districts should strive to achieve ratios consistent with state class size ratio goals.

TEACHERS	STATE GOALS
Kindergarten	20
Grades 1, 2, 3	20
Grades 4, 5, 6	26
Middle School/Jr. High	160 teacher load
High School	160 teacher load
Alternative School (7-12)	18 average daily class load

INSTRUCTIONAL PERSONNEL

Schools are encouraged to explore technological options that provide for credible alternative delivery systems. Present and emerging information transmission technology may provide for greater teacher/pupil class size ratios.

PUPIL PERSONNEL	
(Certificated School Counselors, Social Workers, Psychologists)	400:1 * student/district average

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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. (3-15-22)

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. (3-15-22)

02. Professional Development. The content of ongoing professional development for school staff related to bullying, harassment and intimidation shall include: (3-15-22)

- a. School philosophy regarding school climate and student behavior expectations; (3-15-22)
- b. Definitions of bullying, harassment, and intimidation; (3-15-22)
- c. School prevention strategies or programs including the identification of materials to be distributed annually to students and parents; (3-15-22)
- d. Expectations of staff intervention for bullying, harassment, and intimidation; (3-15-22)
- e. School process for responding to bullying, harassment, and intimidation including the reporting process for students and staff, investigation protocol, the involvement of law enforcement, related student support services and parental involvement; and (3-15-22)
- f. Other topics as determined appropriate by the school district or charter school. (3-15-22)

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. (3-15-22)

- a. Graduated consequences may include, but are not limited to: (3-15-22)
 - i. Meeting with the school counselor; (3-15-22)
 - ii. Meeting with the school principal and student's parents or guardian; (3-15-22)
 - iii. Detention, suspension or special programs; and (3-15-22)

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iv. Expulsion. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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: (3-15-22)

a. Correct the problem behavior; (3-15-22)

b. Prevent another occurrence of the problem; (3-15-22)

c. Protect and provide support for the victim of the act; and (3-15-22)

d. Take corrective action for documented systemic problems related to harassment, intimidation, or bullying. (3-15-22)

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. (3-15-22)

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: (3-15-22)

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 how to develop community partnerships. (3-15-22)

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. (3-15-22)

03. Postvention. Evidence-based protocol for responding to a student/staff suicide. (3-15-22)

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

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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. (3-15-22)

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: (3-15-22)

- a.** Domain 1 - Planning and Preparation: (3-15-22)
 - i. Demonstrating Knowledge of Content and Pedagogy; (3-15-22)
 - ii. Demonstrating Knowledge of Students; (3-15-22)
 - iii. Setting Instructional Outcomes; (3-15-22)
 - iv. Demonstrating Knowledge of Resources; (3-15-22)
 - v. Designing Coherent Instruction; and (3-15-22)
 - vi. Designing Student Assessments. (3-15-22)
- b.** Domain 2 - The Classroom Environment: (3-15-22)
 - i. Creating an Environment of Respect and Rapport; (3-15-22)
 - ii. Establishing a Culture for Learning; (3-15-22)
 - iii. Managing Classroom Procedures; (3-15-22)
 - iv. Managing Student Behavior; and (3-15-22)
 - v. Organizing Physical Space. (3-15-22)
- c.** Domain 3 - Instruction and Use of Assessment: (3-15-22)
 - i. Communicating with Students; (3-15-22)
 - ii. Using Questioning and Discussion Techniques; (3-15-22)
 - iii. Engaging Students in Learning; (3-15-22)
 - iv. Using Assessment in Instruction; and (3-15-22)
 - v. Demonstrating Flexibility and Responsiveness. (3-15-22)
- d.** Domain 4 - Professional Responsibilities: (3-15-22)
 - i. Reflecting on Teaching; (3-15-22)

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- ii. Maintaining Accurate Records; (3-15-22)
- iii. Communicating with Families; (3-15-22)
- iv. Participating in a Professional Community; (3-15-22)
- v. Growing and Developing Professionally; and (3-15-22)
- vi. Showing Professionalism. (3-15-22)

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 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, 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: (3-15-22)

- a. Parent/guardian input; (3-15-22)
- b. Student input; and/or (3-15-22)
- c. Portfolios. (3-15-22)

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. (3-15-22)

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 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. (3-15-22)

05. Evaluation Policy – Content. Local school district policies will include, at a minimum, the following information: (3-15-22)

- a. Evaluation criteria -- statements of the criteria upon which certificated personnel will be evaluated and rated. (3-15-22)
- 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. (3-15-22)

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c. Communication of results -- the method by which certificated personnel are informed of the results of evaluation. (3-15-22)

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. (3-15-22)

e. Appeal -- the procedure available to the individual for appeal or rebuttal when disagreement exists regarding the results of certificated personnel evaluations. (3-15-22)

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: (3-15-22)

i. Unsatisfactory being equal to "1"; (3-15-22)

ii. Basic being equal to "2"; and (3-15-22)

iii. Proficient being equal to "3". (3-15-22)

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. (3-15-22)

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. (3-15-22)

06. Evaluation Policy – Frequency of Evaluation. The evaluation policy shall include a provision for evaluating all certificated personnel on a fair and consistent basis. (3-15-22)

07. Evaluation Policy - Personnel Records. Permanent records of each certificated personnel evaluation will be maintained in the employee's personnel file. All evaluation records will be kept confidential within the parameters identified in federal and state regulations regarding the right to privacy (Section 33-518, Idaho Code). Local school districts shall report the 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. (3-15-22)

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 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. (3-15-22)

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

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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. (3-15-22)

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 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: (3-15-22)

a. Domain 1: School Climate - An educational leader promotes the success of all students by advocating, nurturing and sustaining a school culture and instructional program conducive to student learning and staff professional development. An educational leader articulates and promotes high expectations for teaching and learning while responding to diverse community interest and needs. (3-15-22)

i. School Culture - Principal establishes a safe, collaborative, and supportive culture ensuring all students are successfully prepared to meet the requirements for tomorrow's careers and life endeavors. (3-15-22)

ii. Communication - Principal is proactive in communicating the vision and goals of the school or district, the plans for the future, and the successes and challenges to all stakeholders. (3-15-22)

iii. Advocacy - Principal advocates for education, the district and school, teachers, parents, and students that engenders school support and involvement. (3-15-22)

b. Domain 2: Collaborative Leadership - An educational leader promotes the success of all students by ensuring management of the organization, operations and resources for a safe, efficient and effective learning environment. In collaboration with others, uses appropriate data to establish rigorous, concrete goals in the context of student achievement and instructional programs. The educational leader uses research and/or best practices in improving the education program. (3-15-22)

i. Shared Leadership - Principal fosters shared leadership that takes advantage of individual expertise, strengths, and talents, and cultivates professional growth. (3-15-22)

ii. Priority Management - Principal organizes time and delegates responsibilities to balance administrative/managerial, educational, and community leadership priorities. (3-15-22)

iii. Transparency - Principal seeks input from stakeholders and takes all perspectives into consideration when making decisions. (3-15-22)

iv. Leadership Renewal - Principal strives to continuously improve leadership skills through, professional development, self-reflection, and utilization of input from others. (3-15-22)

v. Accountability - Principal establishes high standards for professional, legal, ethical, and fiscal accountability for self and others. (3-15-22)

c. Domain 3: Instructional Leadership - An educational leader promotes the success of all students by facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community. The educational leader provides leadership for major initiatives and change efforts and uses research and/or best practices in improving the education program. (3-15-22)

i. Innovation - Principal seeks and implements innovative and effective solutions that comply with

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general and special education law. (3-15-22)

ii. Instructional Vision - Principal insures that instruction is guided by a shared, research-based instructional vision that articulates what students do to effectively learn. (3-15-22)

iii. High Expectations - Principal sets high expectation for all students academically, behaviorally, and in all aspects of student well-being. (3-15-22)

iv. Continuous Improvement of Instruction - Principal has proof of proficiency in assessing teacher performance based upon the state evaluation framework. Aligns resources, policies, and procedures toward continuous improvement of instructional practice guided by the instructional vision. (3-15-22)

v. Evaluation - Principal uses teacher/principal evaluation and other formative feedback mechanisms to continuously improve teacher/principal effectiveness. (3-15-22)

vi. Recruitment and Retention -Principal recruits and maintains a high quality staff. (3-15-22)

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: (3-15-22)

a. Parent/guardian input; (3-15-22)

b. Teacher input; (3-15-22)

c. Student input; and/or (3-15-22)

d. Portfolios. (3-15-22)

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, 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. (3-15-22)

04. Evaluation Policy - Content. For evaluations conducted on or after July 1, 2014, local school district policies will include, at a minimum, the following information: (3-15-22)

a. Evaluation criteria -- statements of the criteria upon which administrators will be evaluated. (3-15-22)

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. (3-15-22)

c. Communication of results -- the method by which principals are informed of the results of evaluation. (3-15-22)

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. (3-15-22)

e. Appeal -- the procedure available to the individual for appeal or rebuttal when disagreement exists

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regarding the results of an evaluations. (3-15-22)

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: (3-15-22)

i. Unsatisfactory being equal to “1”; (3-15-22)

ii. Basic being equal to “2”; and (3-15-22)

iii. Proficient being equal to “3”. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

07. Evaluation System Approval. Each school district board of trustees will develop and adopt policies for principal performance evaluation in which criteria and procedures for the evaluation are research based and aligned with state standards. By July 1, 2014, an evaluation plan which incorporates all of the above elements shall be submitted to the State Department of Education for approval. Once approved, subsequent changes made in the evaluation system shall be resubmitted for approval. (3-15-22)

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. (3-15-22)

01. Buildings. All school buildings, including portable or temporary buildings, will be designed and built in conformance with the current edition of the codes specified in the Idaho Building Code Act, Section 39-4109, Idaho Code, including, the National Electrical Code, Uniform Plumbing Code, and Idaho General Safety and Health Standards. All school buildings, including portable or temporary buildings, will meet other more stringent requirements established in applicable local building codes. (3-15-22)

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. (3-15-22)

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131. -- 139. (RESERVED)

140. ACCREDITATION.

01. Requirement. 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. (3-15-22)

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. (3-15-22)

a. School has an Average Daily Attendance greater than or equal to 36 students based on previous year's enrollment; (3-15-22)

b. School enrolls any students full-time for the school year once eligibility determination is made as opposed to schools that enroll students for "make-up" or short periods of time; (3-15-22)

c. School offers an instructional model that is different than that provided by the traditional high school within the district for a majority of the coursework, including but not limited to online/virtual curriculum; (3-15-22)

d. School administers diplomas that come from that alternative school as opposed to students receiving a diploma from the traditional high school within the school district; or (3-15-22)

e. School receives its own accountability rating for federal reporting purposes. (3-15-22)

03. Standards. Schools will meet the accreditation standards of an accrediting body recognized by the state board of education. (3-15-22)

04. Residential Schools. In addition to the academic standards, residential schools must meet the applicable health and safety standards established pursuant to Section 39-1210, Idaho Code, to be considered fully accredited by the State Board of Education. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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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) (3-15-22)

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) (3-15-22)

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. (3-15-22)

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. (3-15-22)

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) (3-15-22)

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. (3-15-22)

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. (3-15-22)

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

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when such visits are part of the school district college and career advising and mentoring plan. (3-15-22)

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: (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

04. Location. Release time programs will be conducted away from public school buildings and public school property. (3-15-22)

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. (3-15-22)

06. Record Maintenance. The public school will not be responsible for maintaining attendance records for a student who, upon written request of a parent or guardian, is given permission to leave the school grounds to attend a release time program. The school district will maintain a record of each student's daily schedule that indicates when a student is released for classes in religious education or for other purposes. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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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. (3-15-22)

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: (3-15-22)

- a. Provide course work that meets the minimum requirements of Idaho State Board of Education Rules. (3-15-22)
 - b. Provide instruction in core subject areas. (3-15-22)
 - c. Include the following components, where appropriate: self-concept improvement, social adjustment, physical fitness/personal health, vocational/occupational, adult living skills, and counseling. (3-15-22)
 - 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. (3-15-22)
 - e. Be directed by an instructor who holds an appropriate, valid certificate. (3-15-22)
 - 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. (3-15-22)
 - g. Be provided to students who have attained "school age" as defined in Idaho Code 33-201. (3-15-22)
 - h. Be provided for a minimum of four (4) hours during each school day. (3-15-22)
 - 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. (3-15-22)
 - j. Be coordinated with the instructional program at the school the student attends, where appropriate. (3-15-22)
 - k. Be provided in a facility that is adequate for instruction and study. (3-15-22)
- 02. State Funding of Instructional Programs at Juvenile Detention Centers.** (3-15-22)
- 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. (3-15-22)
 - 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.

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(3-15-22)

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. (3-15-22)

241. -- 999. (RESERVED)

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SUBJECT

Proposed Rule – Docket No. 08-0203-2201, Rules Governing Thoroughness

REFERENCE

March 23, 2020	Board approved partial waiver of IDAPA 08.02.03.105, waiving the college entrance exam, senior project graduation requirements for students graduating in 2020 and administration of the ISAT for the 2020-2021 school year.
October 2020	Board approved partial waiver of IDAPA 08.02.03.105, waiving the senior project graduation requirement for students graduating in 2021.
December 2020	Board approved partial waiver of IDAPA 08.02.03.105, waiving the requirement the college entrance exam requirement for students graduating in 2021.
A 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 Omnibus rule, Docket 08-0000-2100, incorporating proposed rules approved in August 2021.
November 2021	Board approved pending Omnibus rule, Docket 08-0000-2100.
June 2022	Board approved temporary rule, Docket 08-0203-2202, amending the assessment section to account for administering assessments at the high school level using a modified cohort model.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative Code, IDAPA 08.02.03, Rules Governing Thoroughness
Executive Order 2020-01

BACKGROUND/DISCUSSION

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

For the 2022-2023 rulemaking cycle the following rules were identified for review, IDAPA 08.01.11, 08.01.13 and 08.02.03. Additionally, staff were asked to

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accelerate the review of the two charter school sections of rule and look at how they could be combined into a single section. In addition to these sections of rule being reviewed, DFM and the State Office of Administrative Rules have enacted new procedures requiring any rulemaking within a chapter to be consolidated in a single Docket. In past years the Board could consider multiple rule Dockets from the same IDAPA chapter in different dockets, based on each subject contained in that chapter. As an example, in the past the Board could consider a Docket amending IDAPA 08.02.01.100 and a separate Docket with amendments to IDAPA 08.02.01.800. Now all amendments to IDAPA 08.02.01 must be consolidated in a single Docket for IDAPA 08.02.01.

The Zero Based Regulations review process requires each agency and board to 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 where possible.

IDAPA 08.02.03, Rules Governing Thoroughness, sets out provisions targeting at ensuring a thorough system of public education. These minimum requirements include, but are not limited to content standards, high school graduation requirements, comprehensive statewide assessment system, and Idaho's state and federal accountability framework. In addition to those amendments identified as part of the Zero Based Regulations process, the following additional amendments are being proposed:

- Incorporation of assessment system amendments approved by the Board at the June 2022 Board meeting tied to the move of the high school assessment from grade 10 to grade 11.
- Removing the assessment achievement level descriptors (cut scores) from administrative rule, allowing the Board more flexibility in the time for when these are set. The ISAT grade 11 and alternate assessment cut scores need to be set starting with the 2023 administration of these assessments. New cut scores were not brought forward in time to be included in administrative rule. There is no statutory requirement that these scores be set in rule. By removing the cut scores from administrative rule, the Board will have more flexibility in when they are set and will negate the need to do a temporary rule for the 2024 administration. A temporary rule after January 1 will still need to be approved for the 2023 administration.
- Add financial literacy to the economics credit requirement for high school graduation.
- Add computer science and digital literacy as required area of instruction at the elementary and middle school levels. Expanding the statutory requirement that went into effect in FY 2020 for all schools serving students in grades 9 through 12 to make available one or more courses in computer science (Section 33-1634, Idaho Code).

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- Phasing in a computer science requirement for high school graduation starting for students entering grade 9 in the fall of 2025.
- Incorporation of accountability framework amendments approved by the Board at the June 2022 Board meeting and restructuring the section to remove duplicative language in compliance with the Zero Based Regulations initiative.

IMPACT

The proposed rule amendments will move the amendments approved by the Board as a temporary rule into the proposed rule phase, incorporate the additional amendments noted above, and allow the proposed changes to go out for public comment.

ATTACHMENTS

Attachment 1 – Physical Education Content Standards, Incorporated by Reference
Attachment 2 – Health Education Content Standards, Incorporated by Reference
Attachment 3 – Proposed Rule Docket No. 08-0203-2201

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules, temporary rules, proposed rules and pending rules. Temporary and proposed rules may be promulgated jointly with a single docket number or temporary rules may be promulgated as a standalone rule. The Notice of Intent to Promulgate Rules was published in the July 6, 2022 (Vol 22-7) Idaho Administrative Rules Bulletin.

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 received comments 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 consideration. Once approved, pending rules will be submitted to the Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected by the Legislature.

Staff recommends approval.

BOARD ACTION

I move to approve Physical Education and Health Education Content Standards, as submitted in Attachments 1 and 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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I move to approve proposed rule – Docket 08-0203-2201, as submitted in Attachment 3.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

**IDAHO CONTENT STANDARDS
PHYSICAL EDUCATION****Kindergarten-2nd Grade**

Physical literacy: Possessing both the knowledge and ability to move with competence and confidence in a wide variety of physical activities in multiple environments that benefit the healthy development of the whole person.

Standard 1: Skilled Movement

Goal 1.1: The physically literate individual demonstrates competency in motor skills and movement patterns needed to perform a variety of physical activities.

Objective(s): By the end of grade 2, students will:

- K-2.PE.1.1.1 Achieve mature forms in the basic locomotor skills (e.g., walking, running, skipping) and vary the manner in which these skills are performed during changing conditions and expectations (e.g., the elements of movement, levels, speeds, pathways, relationships, and effort).
- K-2.PE.1.1.2 Demonstrate smooth transitions between sequential locomotor, non-locomotor, and manipulative skills.
- K-2.PE.1.1.3 Demonstrate emerging form in the less complex manipulative skills (e.g., throwing, catching, rolling) and show progress toward achieving mature form in the more complex manipulative skills (e.g., dribbling, overhand throw, kicking, striking).
- K-2.PE.1.1.4 Demonstrate control in non-locomotor skills (e.g., twisting, bending, weight-transfer) as well as weight-bearing and balancing on a variety of body parts (e.g., symmetrical/asymmetrical, stork stand, partner balances).

Standard 2: Movement Knowledge

Goal 2.1: The physically literate individual demonstrates understanding of concepts, principles, strategies, and tactics related to movement and to the performance of physical activities.

Objective(s): By the end of grade 2, students will:

- K-2.PE.2.1.1 Identify simple biomechanical principles (e.g., opposition, weight transfer, wide base of support for stability).
- K-2.PE.2.1.2 Identify and apply critical cues and concepts of body, space, effort, time, and relationships that vary the quality of movement (e.g., side to target, move in personal space, throw hard for distance, name different pathways).

Standard 3: Health-Enhancing Personal Fitness

Goal 3.1: The physically literate individual demonstrates the knowledge and skills to achieve and maintain a health-enhancing level of physical fitness.

Objective(s): By the end of grade 2, students will:

- K-2.PE.3.1.1 Engage in a variety of activities that promote 5 health enhancing physical fitness components (e.g., jumping rope, riding a bicycle, walking like an animal, climbing wall, chasing and fleeing games, tumbling activities, dancing skills, walking/running program,).
- K-2.PE.3.1.2 Know and demonstrate basic knowledge of health-related fitness including cardiorespiratory endurance, muscular strength and muscular endurance, flexibility, and body composition (e.g., identify various activities that demonstrate each health-related component).
- K-2.PE.3.1.3 Recognize physiological signs associated with participation in moderate-to-vigorous physical activity (e.g., sweating, fast heart rate, heavy breathing, muscle fatigue).

Standard 4: Personal and Social Responsibility

Goal 4.1: The physically literate individual exhibits responsible personal and social behavior that respects self and others in physical activity settings.

Objective(s): By the end of grade 2, students will:

- K-2.PE.4.1.1 Apply physical education class rules, procedures, and safe practices (e.g., listen/respond to teacher and peers, respect personal space, follow directions).
- K-2.PE.4.1.2 Interact cooperatively using interpersonal communication during partner and small group activities (e.g., taking turns, sharing equipment, helping others).
- K-2.PE.4.1.3 Work together to problem solve, complete a task, and/or tackle a challenge (e.g., rock/paper/scissors, sharing, partner games).

Standard 5: Valuing a Physically Active Lifestyle

Goal 5.1: The physically literate individual participates daily in physical activity and recognizes its value for health, enjoyment, challenge, self-expression, and/or social interaction.

Objective(s): By the end of grade 2, students will:

- K2.PE.5.1.1 Participate in developmentally appropriate moderate to vigorous physical activity a minimum of 33% of the lesson time (e.g., time assessment, pedometer = 1800 steps in a 30 minute class or 60 steps per minute).

- K-2.PE.5.1.2 Participate daily in moderate to vigorous physical activity during and outside of class as recommended within the public health guidelines of at least 60 minutes or more per day (e.g., activity logs, step count of at least 12,000 steps per day, activity breaks).
- K-2.PE.5.1.3 Express feelings appropriately about participation during physical activity (e.g., use of emoticons like smiley faces and thumb up/down).

**IDAHO CONTENT STANDARDS
PHYSICAL EDUCATION**

Grade 3-5

Physical literacy: Possessing both the knowledge and ability to move with competence and confidence in a wide variety of physical activities in multiple environments that benefit the healthy development of the whole person.

Standard 1: Skilled Movement

Goal 1.1: The physically literate individual demonstrates competency in motor skills and movement patterns needed to perform a variety of physical activities.

Objective(s): By the end of grade 5, students will:

- 3-5.PE.1.1.1 Apply fundamental, non-locomotor, locomotor, and manipulative skills in dynamic and complex movements (e.g., lead-up games, dance, educational gymnastics).
- 3-5.PE.1.1.2 Demonstrate emerging mature movement patterns using varying levels of intensity, relationships, and body and space awareness (e.g., dodging, weight transfer, offensive and defensive tactics and strategies).
- 3-5.PE.1.1.3 Demonstrate a wide variety of specialized skills (e.g., passing a ball, softball fielding, defensive sliding, grapevine dance step, rollerblading heel stop, bicycle signaling).

Standard 2: Movement Knowledge

Goal 2.1: The physically literate individual demonstrates understanding of concepts, principles, strategies and tactics related to movement and to the performance of physical activities.

Objective(s): By the end of grade 5, students will:

- 3-5.PE.2.1.1 Demonstrate knowledge of critical cues and simple biomechanical principles to provide feedback to self and others (e.g., speed,

agility, effort, opposition, balance, follow through, self and peer checklist).

- 3-5.PE.2.1.2 Transfer concepts to new skills/games (e.g., offensive and defensive strategies, center of gravity and stability, rhythm and timing, aim adjustment, placement, accuracy, scoring strategy,).
- 3-5.PE.2.1.3 Identify ways to improve performance (e.g., appropriate practice, learn techniques, positive self-talk, visualize performance, positive specific feedback).

Standard 3: Health Enhancing Personal Fitness

Goal 3.1: The physically literate individual demonstrates the knowledge and skills to achieve and maintain a health-enhancing level of physical fitness.

Objective(s): By the end of grade 5, students will:

- 3-5.PE.3.1.1 Understand the 5 health-related fitness components (cardiorespiratory endurance, muscular strength, muscular endurance, flexibility, and body composition) by improving, meeting, and/or sustaining performance on evidence-based fitness standards (e.g., evidence-based fitness tests, healthy fitness level, activities that demonstrate each health-related component).
- 3-5.PE.3.1.2 Regularly participate in moderate-to-vigorous physical activity that improves and maintains physical fitness (e.g., physical education class, home/school/community programs).
- 3-5.PE.3.1.3 With teacher assistance, interpret the results and significance of information provided by formal measures of physical fitness, set and achieve attainable personal health-related fitness goals (e.g., evidence-based fitness results).

Standard 4: Personal and Social Responsibility

Goal 4.1: The physically literate individual exhibits responsible personal and social behavior that respects self and others in physical activity settings.

Objective(s): By the end of grade 5, students will:

- 3-5.PE.4.1.1 Identify the purposes for and follow safe practices, rules, procedures, and etiquette (e.g., help a peer, use equipment appropriately, accept teacher decision regarding a rule infraction without blaming, show respect, honesty and fairness).
- 3-5.PE.4.1.2 Work independently and cooperatively in groups to complete tasks and challenges (e.g., develop a creative game, practice to improve performance in and out of school, complete team building challenges, create task cards, provide assistance to the teacher and other students).

- 3-5.PE.4.1.3 Appreciate the diversity of other people by cooperating with those of a different gender, race, ethnicity, and ability (e.g. dancing with a peer of a different gender, modifying an activity for inclusion; participating in cultural games, encouraging others).

Standard 5: Valuing a Physically Active Lifestyle

Goal 5.1: The physically literate individual participates daily in physical activity and recognizes its value for health, enjoyment, challenge, self-expression and/or social interaction.

Objective(s): By the end of grade 5, students will:

- 3-5.PE.5.1.1 Participate in developmentally appropriate moderate to vigorous physical activity a minimum of 33% of the lesson time (e.g., time assessment, pedometer = 1800 steps in a 30 minute class or 60 steps per minute).
- 3-5.PE.5.1.2 Participate daily in moderate to vigorous physical activity during and outside of class as recommended by **NASPE SHAPE**, CDC, and USDHHS of at least 60 minutes or more per day within the public health guidelines (e.g., student-initiated involvement, before and after school programs, community fitness events, run/walk programs).
- 3-5.PE.5.1.3 Seek personally challenging experiences in physical activity (e.g., personal fitness goals, attempt new activities, set realistic improvement goals for a greater challenge in existing activity).

IDAHO CONTENT STANDARDS
PHYSICAL EDUCATION

Grade 6-8

Physical literacy: Possessing both the knowledge and ability to move with competence and confidence in a wide variety of physical activities in multiple environments that benefit the healthy development of the whole person.

Standard 1: Skilled Movement

Goal 1.1: The physically literate individual demonstrates competency in motor skills and movement patterns needed to perform a variety of physical activities.

Objective(s): By the end of grade 8, students will:

- 6-8.PE.1.1.1 Demonstrate mature form in the basic skills of more specialized activities (e.g., wall/net, invasion, field/striking, target, dance, aquatics, outdoor activities, fitness, resistance training).
- 6-8.PE.1.1.2 Adapt and combine skills successfully in modified games or activities of increasing complexity.
- 6-8.PE.1.1.3 Demonstrate movement tactics and strategies that can be applied to a variety of physical activities (e.g., wall/net, invasion, field/striking, target, dance, aquatics, outdoor activities, fitness, resistance training).

Standard 2: Movement Knowledge

Goal 2.1: The physically literate individual demonstrates understanding of concepts, principles, strategies and tactics related to movement and to the performance of physical activities.

Objective(s): By the end of grade 8, students will:

- 6-8.PE.2.1.1 Identify and apply the critical elements, strategies, and tactics of higher level movements in wall/net, invasion, field/striking, target, dance, outdoor activities, outdoor ethics, fitness (e.g., transition from offense to defense, shortest distance, angles of interception).
- 6-8.PE.2.1.2 Identify principles of practice and biomechanics that enhance movement performance (e.g., describe basic principles of training and how they improve fitness, describe the purpose behind the mechanics and range of motion required in various physical activities).
- 6-8.PE.2.1.3 Apply external feedback to guide and improve performance (e.g., use videos to refine skills, utilize verbal feedback to improve performance).

Standard 3: Health Enhancing Personal Fitness

Goal 3.1: The physically literate individual demonstrates the knowledge and skills to achieve and maintain a health-enhancing level of physical fitness.

Objective(s): By the end of grade 8, students will:

- 6-8.PE.3.1.1 Know and demonstrate the 5 health-related fitness components (cardiorespiratory endurance, muscular strength, muscular endurance, flexibility, and body composition) by improving, meeting and/or sustaining gender and age-related contemporary fitness standards *as defined by evidence-based measures* (e.g., evidence-based fitness tests, healthy fitness level, activities that demonstrate each health-related component).
- 6-8.PE.3.1.2 Know and demonstrate the basic knowledge of skill-related fitness including agility, coordination, balance, power, reaction time, and speed (e.g., ~~r~~ resistance training techniques, combatives *training*, sprint starts, vertical/standing jump, *Pilates*, ~~pilates~~, *sports performance*).
- 6-8.PE.3.1.3 Participate in a variety of developmentally appropriate health and skill-related fitness activities in diverse settings including school, home, and community (e.g., hiking, swimming, orienteering, rock climbing, fun runs, social dance).
- 6-8.PE.3.1.4 Assess physiological indicators of exercise during and after physical activity (e.g., target heart rate zone, perceived exertion).
- 6-8.PE.3.1.5 Apply basic principles and types of training to improve fitness goals (e.g., FITT principle, progression, specificity, rest and recovery, overload, regularity, interval training, Fartlek, circuit training, resistance training).

Standard 4: Personal and Social Responsibility

Goal 4.1: The physically literate individual exhibits responsible personal and social behavior that respects self and others in physical activity settings.

Objective(s): By the end of grade 8, students will:

- 6-8.PE.4.1.1 Apply safe practices, ethical behavior, and positive forms of social interaction when participating in physical activities (e.g., participate within the rules of an activity, display good *sportsmanship sportspersonship*, practice self-control).
- 6-8.PE.4.1.2 Solve problems by analyzing potential consequences when confronted with a behavioral choice (e.g., resolve *argument conflicts* between peers, be sensitive of the rights and feelings of others, role play).
- 6-8.PE.4.1.3 Work independently and in groups to achieve goals in competitive and cooperative settings (e.g., identify ways to relieve stress, develop team goals, practice for competition, participate in sport education, adventure activities, and/or challenge activities).

- 6-8.PE.4.1.4 Appreciate **and include** other people of diverse characteristics and backgrounds during physical activity (e.g., invite others with differences to participate in an activity, work cooperatively with peers of diverse skill levels, participate in cultural activities/projects, and/or peer mentoring).
- 6-8.PE.4.1.5 Recognize the role of physical activity in influencing personal and social behavior (e.g., identify positive and negative behaviors of sport figures, develop leadership skills, take responsibility for actions, recognize the importance of individual roles in group activities).

Standard 5: Valuing a Physically Active Lifestyle

Goal 5.1: The physically literate individual participates daily in physical activity and recognizes its value for health, enjoyment, challenge, self-expression, and/or social interaction.

Objective(s): By the end of grade 8, students will:

- 6-8.PE.5.1.1 Participate in developmentally appropriate moderate to vigorous physical activity **achieving target heart rate zone** a minimum of 50% of the lesson time (e.g., **heart rate assessment**, time assessment, pedometer = 3200 steps in a 40 minute lesson or 80 steps per minute).
- 6-8.PE.5.1.2 In combination with the activity acquired in Physical Education class, students should accumulate a total of at least 60 minutes of moderate to vigorous physical activity throughout the day as recommended within the public health guidelines (e.g., activity logs, step count of at least 12000 steps per day, activity breaks).
- 6-8.PE.5.1.3 Explore a variety of challenging physical activities for personal interest, self-expression and social interaction in a variety of settings including school, home, workplace, and community (e.g., bowling, golf, recreational teams, sports camps/lessons, fitness club membership, camping).
- 6-8.PE.5.1.4 ~~Enjoy the challenge of working hard and feel satisfaction when successful in improving skills and developing personal goals (e.g., surveys, tracking, data).~~

(Enjoy and appreciate the challenge of working hard and feeling the satisfaction when successfully improving skills and achieving personal goals (e.g. surveys, tracking data, journaling, reflections, review and revise fitness/physical activity goals).

**IDAHO CONTENT STANDARDS
PHYSICAL EDUCATION****Grade 9-12**

Physical literacy: Possessing both the knowledge and ability to move with competence and confidence in a wide variety of physical activities in multiple environments that benefit the healthy development of the whole person.

Standard 1: Skilled Movement

Goal 1.1: The physically literate individual demonstrates competency in motor skills and movement patterns needed to perform a variety of physical activities.

Objective(s): By the end of grade 12, students will:

9-12.PE.1.1.1 Demonstrate competency in basic and advanced skills and tactics in multiple leisure and lifetime physical activities (e.g., individual/dual/team-related sports, outdoor pursuits, dance, resistance training, fitness, aquatics).

Standard 2: Movement Knowledge

Goal 2.1: The physically literate individual demonstrates understanding of concepts, principles, strategies, and tactics related to movement and to the performance of physical activities.

Objective(s): By the end of grade 12, students will:

9-12.PE.2.1.1 Demonstrate the knowledge and understanding necessary to develop scientifically based personal activity plans that include self-selected physical activities (e.g., physical activity goal setting, fitness profiles and assessments).

9-12.PE.2.1.2 Apply internal and external feedback independently to assess and refine skills. Transfer previously learned skills and apply them to the learning of new skills (e.g., video, self-assessments, peer-assessments).

9-12.PE.2.1.3 Evaluate and apply appropriate tactics and strategies in a variety of physical activities (e.g., using trekking poles to improve efficiency, comparing and contrasting various levels of performance, explaining tactical strategies in a game or sport).

Standard 3: Health Enhancing Personal Fitness

Goal 3.1: The physically literate individual demonstrates the knowledge and skills to achieve and maintain a health-enhancing level of physical fitness.

Objective(s): By the end of grade 12, students will:

- 9-12.PE.3.1.1 Assume **greater** self-responsibility for improving, meeting and/or sustaining gender and age-related contemporary fitness standards for the 5 health-related fitness components (cardiorespiratory endurance, muscular strength and endurance, flexibility, and body composition). Assessing health-related fitness by improving, meeting and/or sustaining gender and age-related contemporary fitness standards as defined by **evidence-based standards** measures (e.g., evidence-based fitness tests, log sheets, fitness profiles, task cards, portfolios, and identify/ participate in various activities that demonstrate each health-related component).
- 9-12.PE.3.1.2 Apply knowledge of skill-related fitness components including agility, coordination, balance, power, reaction time, and speed to improve performance (e.g., resistance training technique, combatives **training**, sprint starts, vertical/standing jump, Pilates, **sport performance**).
- 9-12.PE.3.1.3 Interpret and analyze information from fitness tests and physiological indicators of exercise to develop a rationale for a personal fitness plan (e.g., identifying strengths and weaknesses, setting goals, modifying activities, **heart rate zones**, **skill analysis**).
- 9-12.PE.3.1.4 Design individual programs for achieving and maintaining current/lifelong fitness goals that encompass all components of fitness, types of training, and training principles (e.g., FITT principle, overload, progression, specificity, rest and recovery, technology-based tools for lifelong fitness planning).

Standard 4: Personal and Social Responsibility

Goal 4.1: The physically literate individual exhibits responsible personal and social behavior that respects self and others in physical activity settings.

Objective(s): By the end of grade 12, students will:

- 9-12.PE.4.1.1 Demonstrate the ability to initiate responsible personal and social behavior, function independently, and positively influence the behavior of others in physical activity settings (e.g., respectful **sportsmanship** **sportspersonship**, self-control, and role-modeling).
- 9-12.PE.4.1.2 Demonstrate leadership by holding oneself and others responsible for following safe practices, rules, procedures, and etiquette in physical activity settings (e.g., acknowledge a rule infraction, adhere to spotting protocols in a weight room, and assign team/player roles).
- 9-12.PE.4.1.3 Respond appropriately to unacceptable interactions with others in order to mediate and resolve conflict (e.g., communicate in a calm and controlled manner to inflammatory remarks, listen to both sides of an argument and agree on a conclusion, report serious offenses, identify alternatives to negative behaviors).

- 9-12.PE.4.1.4 Accept and **include** other people with different interests, cultural backgrounds, physical characteristics and abilities while engaging in physical activities (e.g., modify physical activities, show compassion for others).
- 9-12.PE.4.1.5 Evaluate personal choices for engaging in physical activity over the life span including the influence of age, ability, gender, race, ethnicity, socioeconomic status, and culture (e.g., recognize barriers and opportunities to participate in physical activity across a lifespan).

Standard 5: Valuing a Physically Active Lifestyle

Goal 5.1: The physically literate individual participates daily in physical activity and recognizes its value for health, enjoyment, challenge, self-expression and/or social interaction.

Objective(s): By the end of grade 12, students will:

- 9-12.PE.5.1.1 Participate in moderate to vigorous physical activity **achieving target heart rate zone** for at least ~~of~~ 50% of the lesson time (e.g., time assessment, **heart rate assessment**, pedometer = 3200 steps in a 40 minute lesson or 80 steps per minute - block or traditional schedule).
- 9-12.PE.5.1.2 In combination with the activity acquired in Physical Education class, students should accumulate a total of at least 60 minutes of moderate to vigorous physical activity throughout the day as recommended within public health guidelines (e.g., activity logs, **bone and muscle strengthening activities**, step count of at least 12000 steps per day, activity breaks).
- 9-12.PE.5.1.3 Actively and independently **identify rationale for physical activity choices** and pursue physical activity opportunities outside of the school **that are** based on personal interests, capabilities, and resources (e.g., outdoor recreational pursuits, fitness club membership, walking/running club, active transportation).~~-and state~~
- 9-12.PE.5.1.4 Analyze factors that influence personal physical activity patterns over one’s lifespan (e.g., reflect on volunteer efforts with populations of various ages and abilities, create a personal profile/ family physical activity tree, create personal activity pyramid).
- 9-12.PE.5.1.5 Enjoy and appreciate the challenge of working hard and feeling the satisfaction ~~when they are~~ **when** successfully **in** improving skills and **achieving developing** personal goals (e.g., journaling reflections, **review and revise fitness/physical activity goals**).

(Enjoy and appreciate the challenge of working hard and feeling the satisfaction when successfully improving skills and achieving personal goals (e.g. surveys, tracking data, journaling, reflections, review and revise fitness/physical activity goals).

Kindergarten to Grade 2**Standard 1: Comprehend Core Concepts**

Core Concepts of Health Education for K-Grade 2 are defined below:

Alcohol, Tobacco, & Other Drugs

The use of alcohol, tobacco, and other drugs has major implications in the lifelong health of individuals. Instruction includes the effects, influences, and prevention of the use of alcohol, tobacco products, and other types of drugs on the body and mind.

Nutrition & Physical Activity

To be ready to learn and to achieve their fullest potential, children need to be well nourished and physically active. In order to enhance physical, mental, emotional, and social wellness, students will acquire the knowledge and skills to make healthy food choices and engage in lifelong physical activity.

Injury Prevention & Safety

Unintentional and intentional injuries rank among the greatest threats to the health of children. Instruction includes prevention through safe living skills and choices, violence prevention, and emergency response and preparedness. Understanding the consequences of one's decisions will help prevent many injuries.

Mental, Emotional, & Social Health

Mental, emotional, and social health are foundations for building wellness. Instruction includes a positive sense of self-image and self-esteem, recognizing emotions and socially appropriate responses ~~of~~ to self and others.

Prevention & Control of Disease

Individuals have a considerable measure of control over their own health and the likelihood of contracting most illnesses. Health-related choices and decisions regarding prevention of communicable and non-communicable diseases can include recognizing risk factors and identifying methods of contraction and transmission.

Consumer & Community Health

Children need to understand the different types of health care professionals and the benefit of health care services. Instruction includes how to identify trusted adults and professionals and how to access reliable product information.

Growth, Development, & Family Life

A healthy family is vital to the well-being and successful development of children and youth. Instruction includes the stages of life and changes in relationships with

others that accompany social development. Information should be factual, medically accurate, and objective.

Environmental Health

Students need to be aware of the impact of environmental issues and hazards on personal health and the impact humans have on the environment. Instruction includes precautions and behaviors to safeguard personal health and practices that will reverse or slow down environmental pollution and related problems.

Goal 1.1: Students will comprehend core concepts related to health promotion and disease prevention to enhance health including: Alcohol, Tobacco and Other Drugs; Nutrition and Physical Activity, Injury Prevention and Safety; Mental, Emotional, and Social Health; Prevention and Control of Disease; Consumer and Community Health; Growth, Development, and Family Life; and Environmental Health.

K-2nd Grade Objectives

Objective(s): By the end of Second Grade, the student will be able to:

- K-2.H.1.1.1 Identify that healthy behaviors affect personal health.
- K-2.H.1.1.2 Recognize that there are multiple dimensions of health (e.g., emotional, mental, physical, and social).
- K-2.H.1.1.3 Describe ways to prevent communicable diseases.
- K-2.H.1.1.4 List ways to prevent common childhood injuries.
- K-2.H.1.1.5 Describe why it is important to seek health care.
- K-2.H.1.1.6 Describe the impact of health behaviors on body systems.

Standard 2: Analyzing Influences

Goal 1.1: Students will analyze the influence of family, peers, culture, media, technology, and other factors on health behavior.

K-2nd Grade Objectives

Objective(s): By the end of Second Grade, the student will be able to:

- K-2.H.2.1.1 Identify how the family influences personal health practices and behaviors.
- K-2.H.2.1.2 Identify what the school can do to support personal health practices and behaviors.
- K-2.H.2.1.3 Describe how the media can influence health behaviors.

Standard 3: Accessing Information

Goal 1.1: Students will demonstrate the ability to access valid information, products, and services to enhance health.

K-2nd Grade Objectives

Objective(s): By the end of Second Grade, the student will be able to:

- K-2.H.3.1.1 Identify trusted adults and professionals who can help promote health.
- K-2.H.3.1.2 Identify ways to locate school and community health helpers.

Standard 4: Interpersonal Communication

Goal 1.1: Students will demonstrate the ability to use interpersonal communication skills to enhance health and avoid or reduce health risks.

K-2nd Grade Objectives

Objective(s): By the end of Second Grade, the student will be able to:

- K-2.H.4.1.1 Demonstrate healthy ways to express needs, wants, and feelings.
- K-2.H.4.1.2 Demonstrate listening skills to enhance health.
- K-2.H.4.1.3 Demonstrate ways to respond to an unwanted, threatening, or dangerous situation.
- K-2.H.4.1.4 Demonstrate ways to tell a trusted adult if threatened or harmed.

Standard 5: Decision Making

Goal 1.1: Students will demonstrate the ability to use decision-making skills to enhance health.

K-2nd Grade Objectives

Objective(s): By the end of Second Grade, the student will be able to:

- K-2.H.5.1.1 Identify situations when a health-related decision is needed.
- K-2.H.5.1.2 Differentiate between situations when a health-related decision can be made individually or when assistance is needed.

Standard 6: Goal Setting

Goal 1.1: Students will demonstrate the ability to use goal-setting skills to enhance health.

K-2nd Grade Objectives

Objective(s): By the end of Second Grade, the student will be able to:

- K-2.H.6.1.1 Identify a short-term personal health goal and take action towards achieving the goal.
- K-2.H.6.1.2 Identify who can help when assistance is needed to achieve a personal health goal.

Standard 7: Practice Healthy Behavior

Goal 1.1: Students will demonstrate the ability to practice health-enhancing behaviors and avoid or reduce health risks.

K-2nd Grade Objectives

Objective(s): By the end of Second Grade, the student will be able to:

- K-2.H.7.1.1 Demonstrate healthy practices and behaviors to maintain or improve personal health (e.g., reducing spread of germs, encouraging healthy food behavior and physical activity).
- K-2.H.7.1.2 Demonstrate behaviors that avoid or reduce health risks.

Standard 8: Advocacy

Goal 1.1: Students will demonstrate the ability to advocate for personal, family, and community health.

K-2nd Grade Objectives

Objective(s): By the end of Second Grade, the student will be able to:

K-2.H.8.1.1 Make requests to promote personal health.

K-2.H.8.1.2 Encourage peers and family to make positive health choices.

IDAHO CONTENT STANDARDS
HEALTH EDUCATION

Grades 3-5

Standard 1: Comprehend Core Concepts

Core Concepts of Health Education for Grades 3-5 are defined below:

Alcohol, Tobacco, & Other Drugs

The use of alcohol, tobacco, and other drugs has major implications in the lifelong health of individuals. Instruction includes the effects, influences, environmental exposure, prevention and treatment of the use of alcohol, tobacco products, and other types of drugs on the body and mind.

Nutrition & Physical Activity

To learn and to achieve their fullest potential, children need to be well nourished and physically active. In order to enhance physical, mental, emotional, and social wellness, students will acquire the knowledge and skills to make healthy food choices and engage in lifelong physical activity.

Injury Prevention & Safety

Unintentional and intentional injuries rank among the greatest threats to the health of youth. Instruction includes prevention through safe living skills and choices, violence prevention, and emergency response and preparedness. Understanding of the consequences of one's decisions will help prevent many injuries.

Mental, Emotional, & Social Health

Mental, emotional and social health are foundations for building wellness. Instruction includes a positive sense of self-image and self-esteem, recognizing emotions and socially appropriate responses to self and others.

Prevention & Control of Disease

Individuals have a considerable measure of control over their own health and the likelihood of contracting most illnesses. Health-related choices and decisions regarding prevention of communicable and non-communicable diseases can include recognizing risk factors and identifying methods of contraction and transmission to include universal precautions. Information should be factual, medically accurate, and objective.

Consumer & Community Health

Youth need to understand how health care services are provided as well as how individuals can take an active role in determining the use of health-related services and products. Community health includes providing valid and appropriate health information, education, services, and products.

Growth, Development, & Family Life

A healthy family is vital to the well-being and successful development of children and youth. Instruction includes the stages of life, changes that occur during puberty, and changes in relationships with others that accompany social development, healthy relationships, and information regarding growth and development. Information should be factual, medically accurate, and objective.

Environmental Health

Students need to be aware of the impact of environmental issues, hazards on personal health, and the impact humans have on the environment. Instruction includes precautions and behaviors to safeguard personal health and practices that will reverse or slow down environmental pollution and related problems.

Goal 1.1: Students will comprehend core concepts related to health promotion and disease prevention to enhance health including: Alcohol, Tobacco and Other Drugs; Nutrition and Physical Activity, Injury Prevention and Safety; Mental, Emotional, and Social Health; Prevention and Control of Disease; Consumer and Community Health; Growth, Development, and Family Life; and Environmental Health.

Grade 3-5 Objectives

Objective(s): By the end of Fifth Grade, the student will be able to:

- 3-5.H.1.1.1 Describe the relationship between healthy behaviors and personal health.
- 3-5.H.1.1.2 Identify examples of emotional, intellectual, physical, and social health.
- 3-5.H.1.1.3 Describe ways in which a safe and healthy school and community environment can promote personal health.
- 3-5.H.1.1.4 Describe ways to prevent common childhood injuries and health problems (e.g., secondhand smoke/vapors from vaping).
- 3-5.H.1.1.5 Describe when it is important to seek health care.
- 3-5.H.1.1.6 Describe the impact of health behaviors on body systems.

Standard 2: Analyzing Influences

Goal 1.1: Students will analyze the influence of family, peers, culture, media, technology, and other factors on health behavior.

Grade 3-5 Objectives

Objective(s): By the end of Fifth Grade, the student will be able to:

- 3-5.H.2.1.1 Describe how the family influences personal health practices and behaviors.
- 3-5.H.2.1.2 Identify the influences of culture on health practices and behaviors.
- 3-5.H.2.1.3 Identify how peers can influence healthy and unhealthy behaviors.
- 3-5.H.2.1.4 Describe how the school and community can support personal health practices and behaviors.

- 3-5.H.2.1.5 Explain how media influences thoughts, feelings, and health behaviors.
- 3-5.H.2.1.6 Describe ways that technology can influence personal health.

Standard 3: Accessing Information

Goal 1.1: Students will demonstrate the ability to access valid information, products, and services to enhance health.

Grade 3-5 Grade Objectives

Objective(s): By the end of Fifth Grade, the student will be able to:

- 3-5.H.3.1.1 Identify characteristics of valid health information, products, and services.
- 3-5.H.3.1.2 Locate resources from home, school, and community that provide valid health information.

Standard 4: Interpersonal Communication

Goal 1.1: Students will demonstrate the ability to use interpersonal communication skills to enhance health and avoid or reduce health risks.

Grade 3-5 Objectives

Objective(s): By the end of Fifth Grade, the student will be able to:

- 3-5.H.4.1.1 Demonstrate effective verbal and nonverbal communication skills to enhance health.
- 3-5.H.4.1.2 Demonstrate refusal skills that avoid or reduce health risks.
- 3-5.H.4.1.3 Demonstrate nonviolent strategies to manage or resolve conflict.
- 3-5.H.4.1.4 Demonstrate how to ask for assistance to enhance personal health.

Standard 5: Decision Making

Goal 1.1: Students will demonstrate the ability to use decision-making skills to enhance health.

Grade 3-5 Objectives

Objective(s): By the end of Fifth Grade, the student will be able to:

- 3-5.H.5.1.1 Identify health-related situations that might require a thoughtful and informed decision.
- 3-5.H.5.1.2 Analyze when assistance is needed when making a health-related decision.
- 3-5.H.5.1.3 List healthy options to health-related issues or problems.
- 3-5.H.5.1.4 Predict the potential outcomes of each option when making a health-related decision.
- 3-5.H.5.1.5 Choose a healthy option when making a health-related decision.
- 3-5.H.5.1.6 Describe the outcomes of a health-related decision.

Standard 6: Goal Setting

Goal 1.1: Students will demonstrate the ability to use goal-setting skills to enhance health.

Grades 3-5 Objectives

Objective(s): By the end of Fifth Grade, the student will be able to:

- 3-5.H.6.1.1 Set a personal health goal and track progress toward its achievement; evaluate results of decision.
- 3-5.H.6.1.2 Identify resources to assist in achieving a personal health goal.

Standard 7: Practice Healthy Behavior

Goal 1.1: Students will demonstrate the ability to practice health-enhancing behaviors and avoid or reduce health risks.

Grades 3-5 Objectives

Objective(s): By the end of Fifth Grade, the student will be able to:

- 3-5.H.7.1.1 Identify responsible personal health behaviors.
- 3-5.H.7.1.2 Demonstrate a variety of healthy practices and behaviors to maintain or improve personal health.
- 3-5.H.7.1.3 Demonstrate a variety of behaviors that avoid or reduce health risks.

Standard 8: Advocacy

Goal 1.1: Students will demonstrate the ability to advocate for personal, family, and community health.

Grades 3-5 Objectives

Objective(s): By the end of Fifth Grade, the student will be able to:

- 3-5.H.8.1.1 Express opinions and give accurate information about health issues.
- 3-5.H.8.1.2 Encourage others to make positive health choices.

IDAHO CONTENT STANDARDS**HEALTH EDUCATION****Grades 6-8****Standard 1: Comprehend Core Concepts**

Core Concepts of Health Education for Grades 6-8 are defined below:

Alcohol, Tobacco, & Other Drugs

The use of alcohol, tobacco, and other drugs has major implications in the lifelong health of individuals. Instruction includes the effects, influences, environmental exposure, prevention, and treatment of the use of alcohol, tobacco products, and other types of drugs on the body and mind.

Nutrition & Physical Activity

To be ready to learn and achieve their fullest potential, adolescents need to be well nourished and physically active. In order to enhance physical, mental, emotional, and social wellness, students will acquire the knowledge and skills to make healthy food choices and to engage in lifelong physical activity. The benefits include enhanced energy level, academic performance, self-image, and ability to prevent disease.

Injury Prevention & Safety

Unintentional and intentional injuries rank among the greatest threats to the health of adolescents and adults. Instruction includes prevention through safe living skills and choices, violence prevention, and emergency response and preparedness. Understanding of the consequences of one's decisions will help to prevent many injuries. Adolescents need to be aware they are responsible for their own safety and the safety of others.

Mental, Emotional, & Social Health

Mental, emotional, and social health are foundations for building wellness. Instruction includes a positive sense of self-image and self-esteem, recognizing emotions, and socially appropriate responses of self and others. Knowledge and skills include emotional intelligence, stress management, mental illness, suicide prevention, healthy relationships, acceptance of self and others, communication skills, and conflict resolution.

Prevention & Control of Disease

Individuals have a considerable measure of control over their own health and the risk of contracting most illnesses. Health-related choices and decisions regarding prevention of communicable and non-communicable diseases can include recognizing risk factors, identifying methods of contraction and transmission, and using universal precautions. Information and discussion of sexually transmitted diseases and HIV are important components of this content area. Information should be factual, medically accurate, and objective.

Consumer & Community Health

Adolescents need to understand how health care services are provided as well as how individuals can take an active role in determining the use of health-related services and products. Community health may include recognizing and accessing valid and appropriate health information, education, services, and products.

Growth, Development, & Family Life

A healthy family is vital to the well-being and successful development of adolescents. Instruction includes the stages of life, changes that occur during puberty, changes in relationships with others that accompany social development, acceptance of self and others, healthy relationships and sexuality, consequences of sexual activity, encouragement of abstinence from sexual activity, sexually transmitted diseases, and methods of disease and pregnancy prevention. Information should be factual, medically accurate, and objective.

Environmental Health

Students need to be aware of the impact of environmental issues and hazards on personal health and the impact humans have on the environment. Instruction includes precautions and behaviors to safeguard personal health and practices that reverse or slow down environmental pollution and related problems.

Goal 1.1: Students will comprehend core concepts related to health promotion and disease prevention to enhance health including: Alcohol, Tobacco and Other Drugs; Nutrition and Physical Activity, Injury Prevention and Safety; Mental, Emotional, and Social Health; Prevention and Control of Disease; Consumer and Community Health; Growth, Development, and Family Life; and Environmental Health.

Grade 6-8 Objectives

Objective(s): By the end of Eighth Grade, the student will be able to:

- 6-8.H.1.1.1 Analyze the relationship between behaviors, body systems, and wellness.
- 6-8.H.1.1.2 Describe the interrelationships of mental, emotional, physical, and social health in adolescence.
- 6-8.H.1.1.3 Analyze how the environment, environmental exposure (e.g., secondhand smoke/vapors) and personal health are related.
- 6-8.H.1.1.4 Describe how family history can affect personal health.
- 6-8.H.1.1.5 Describe ways to reduce or prevent injuries and adolescent health problems.
- 6-8.H.1.1.6 Explain how appropriate health care can promote wellness.
- 6-8.H.1.1.7 Describe the benefits of and barriers to practicing healthy behaviors.
- 6-8.H.1.1.8 Examine the consequences and the likelihood of injury or illness if engaging in unhealthy behaviors.

Standard 2: Analyzing Influences

Goal 1.1: Students will analyze the influence of family, peers, culture, media, technology, and other factors on health behavior.

Grade 6-8 Objectives

Objective(s): By the end of Eighth Grade, the student will be able to:

- 6-8.H.2.1.1 Examine how family, culture, peers, school, and community influence healthy and unhealthy behaviors (e.g., social norms).
- 6-8.H.2.1.2 Analyze the influence of media and technology on personal and family health (e.g., social media and internet safety and responsibility).
- 6-8.H.2.1.3 Explain the influence of personal values and beliefs on individual health practices and behaviors.
- 6-8.H.2.1.4 Describe how some health risk behaviors can influence the likelihood of engaging in unhealthy behaviors (e.g., using drugs to fit in).
- 6-8.H.2.1.5 Explain how school and public health policies can influence health promotion and disease prevention.

Standard 3: Accessing Information

Goal 1.1: Students will demonstrate the ability to access valid information, products, and services to enhance health.

Grade 6-8 Objectives

Objective(s): By the end of Eighth Grade, the student will be able to:

- 6-8.H.3.1.1 Analyze the validity of healthy information, products, and services.
- 6-8.H.3.1.2 Access valid health information [resources](#) from home, school, and community.
- 6-8.H.3.1.3 Locate reliable and valid health products and services and determine accessibility.
- 6-8.H.3.1.4 Describe situations that may require professional health services.

Standard 4: Interpersonal Communication

Goal 1.1: Students will demonstrate the ability to use interpersonal communication skills to enhance health and avoid or reduce health risks.

Grade 6-8 Objectives

Objective(s): By the end of Eighth Grade, the student will be able to:

- 6-8.H.4.1.1 Apply effective verbal and nonverbal communication skills to enhance health.
- 6-8.H.4.1.2 Demonstrate refusal and negotiation skills that avoid or reduce health risks.
- 6-8.H.4.1.3 Demonstrate effective conflict management or resolution strategies.

- 6-8.H.4.1.4 Demonstrate how to request and offer assistance to enhance the health of self and others (e.g., suicide prevention, relationship violence and bullying).

Standard 5: Decision Making

Goal 1.1: Students will demonstrate the ability to use decision-making skills to enhance health.

Grade 6-8 Objectives

Objective(s): By the end of Eighth Grade, the student will be able to:

- 6-8.H.5.1.1 Identify circumstances that can help or hinder healthy decision making.
- 6-8.H.5.1.2 Determine when health-related situations require the application of a thoughtful and informed decision-making process (e.g., alcohol, tobacco and other drug use, and the consequences of a criminal record, recreational safety, texting, social media and general online presence, physical activity, nutritional choices).
- 6-8.H.5.1.3 Distinguish when individual or collaborate decision-making is appropriate.
- 6-8.H.5.1.4 Distinguish between healthy and unhealthy alternatives to health-related issues or problems.
- 6-8.H.5.1.5 Predict the potential short-term and long-term impact of each alternative on self, others, and the environment.
- 6-8.H.5.1.6 Choose healthy alternatives over unhealthy alternatives when making a health-related decision.
- 6-8.H.5.1.7 Analyze the outcomes of a health-related decision.

Standard 6: Goal Setting

Goal 1.1: Students will demonstrate the ability to use goal-setting skills to enhance health.

Grades 6-8 Objectives

Objective(s): By the end of Eighth Grade, the student will be able to:

- 6-8.H.6.1.1 Assess personal health practices.
- 6-8.H.6.1.2 Develop a goal to adopt, maintain, or improve a personal health practice.
- 6-8.H.6.1.3 Apply effective strategies and skills needed to attain a personal health goal (e.g., S.M.A.R.T. goal setting strategy).

Standard 7: Practice Healthy Behavior

Goal 1.1: Students will demonstrate the ability to practice health-enhancing behaviors and avoid or reduce health risks.

Grades 6-8 Objectives

Objective(s): By the end of Eighth Grade, the student will be able to:

- 6-8.H.7.1.1 Explain the importance of assuming responsibility for personal health behaviors.
- 6-8.H.7.1.2 Demonstrate healthy practices and behaviors that will maintain or improve the health of self and others.
- 6-8.H.7.1.3 Demonstrate behaviors that avoid or reduce health risks to self and others.
- 6-8 H.7.1.4. Explain the importance of personal hygiene, self-care, food behavior, and physical activity.

Standard 8: Advocacy**Goal 1.1: Students will demonstrate the ability to advocate for personal, family, and community health.****Grades 6-8 Objectives****Objective(s): By the end of Eighth Grade, the student will be able to:**

- 6-8.H.8.1.1 State a health-enhancing position on a topic and support it with accurate information.
- 6-8.H.8.1.2 Demonstrate how to influence and support others to make positive health choices.
- 6-8.H.8.1.3 Work cooperatively to advocate for the health of individuals, families, schools, and the community.
- 6-8.H.8.1.4 Identify ways in which health messages and communication techniques can be altered for different audiences.

IDAHO CONTENT STANDARDS HEALTH EDUCATION

Grades 9-12

Standard 1: Comprehend Core Concepts

Core Concepts of Health Education for Grades 9-12 are defined below:

Alcohol, Tobacco, & Other Drugs

The use of alcohol, tobacco, and other drugs has major implications in the lifelong health of individuals. Instruction includes the effects, influences, environmental exposure, prevention and treatment of the use of alcohol, tobacco products, and other drugs on the body and mind.

Nutrition & Physical Activity

To be ready to learn and achieve to their fullest potential adolescents need to acquire knowledge and skills to be well nourished and physically active. The benefits include enhanced energy level, academic performance, self-image, and the ability to prevent disease.

Injury Prevention & Safety

Unintentional and intentional injuries rank among the greatest threats to the health of ~~adolescence~~ adolescents and adults. Instruction includes safe living skills and choices, violence prevention, and emergency response and preparedness. Young adults need to be aware they are responsible for their own safety and the safety of others.

Mental, Emotional, & Social Health

Mental, emotional, and social health are foundations for building wellness. Instruction includes a positive sense of self-image and self-esteem, recognizing emotions and socially appropriate responses ~~of~~ to self and others. Knowledge and skills include emotional intelligence, stress management, recognizing mental illness, suicide prevention, healthy relationships, communication skills, and conflict resolution.

Prevention & Control of Disease

Individuals have a considerable measure of control over their own health and the chance of contracting most illnesses. Health-related choices and decisions regarding prevention of communicable and non-communicable diseases include recognizing risk factors, identifying methods of contraction and transmission, and using universal precautions. Information and discussion of sexually transmitted ~~infections~~/diseases and HIV are important components of this content area. Information should be factual, medically accurate, and objective.

Consumer & Community Health

Adolescents need to understand how health care services are provided as well as how individuals can take an active role in determining the use of health-related services and products. Consumer and community health include recognizing and accessing valid and appropriate health information, services, and products. Instruction includes knowledge about health insurance, health related research, advertising, and fraudulent claims.

Growth, Development, & Family Life

A healthy family is vital to the well-being and successful development of adolescents. Instruction includes the stages of life, changes in relationships with others that accompany social development, the acceptance of self and others, healthy relationships and sexuality, consequences of sexual activity (e.g., personal, legal and economic responsibilities of parenthood), encouragement of abstinence from sexual activity, sexually transmitted [infections/diseases](#) (e.g., transmission and prevention), and pregnancy prevention. Information should be factual, medically accurate, and objective.

Environmental Health

Students need to be aware of the impact of environmental issues and hazards on personal health and the impact humans have on the environment. Instruction includes precautions and behaviors to safeguard personal health, and practices that reverse or slow down environmental pollution and related problems.

Goal 1.1: Students will comprehend core concepts related to health promotion and disease prevention to enhance health including: Alcohol, Tobacco and Other Drugs; Nutrition and Physical Activity, Injury Prevention and Safety; Mental, Emotional, and Social Health; Prevention and Control of Disease; Consumer and Community Health; Growth, Development, and Family Life; and Environmental Health.

Grade 9-12 Objectives

Objective(s): By the end of Twelfth Grade, the student will be able to:

- 9-12.H.1.1.1 Predict how behaviors can affect wellness.
- 9-12.H.1.1.2 Describe the interrelationships of emotional, mental, physical, and social health.
- 9-12.H.1.1.3 Analyze how environment and wellness are interrelated (e.g., secondhand smoke/vapors from vaping).
- 9-12.H.1.1.4 Analyze how genetics and family history can affect personal health.
- 9-12.H.1.1.5 Propose ways to reduce health problems.
- 9-12.H.1.1.6 Analyze the relationship between access to health care and health status.
- 9-12.H.1.1.7 Compare and contrast the benefits of and barriers to practicing a variety of healthy behaviors.
- 9-12.H.1.1.8 Analyze the potential severity of health problems that result from engaging in unhealthy behaviors.

Standard 2: Analyzing Influences

Goal 1.1: Students will analyze the influence of family, peers, culture, media, technology, and other factors on health behavior.

Grade 9-12 Objectives

Objective(s): By the end of Twelfth Grade, the student will be able to:

- 9-12.H.2.1.1 Analyze how the family and culture influence health beliefs and behaviors.
- 9-12.H.2.1.2 Analyze how peers influence health beliefs and behaviors (e.g., social norms).
- 9-12.H.2.1.3 Evaluate how the school and community can affect personal health practice and behaviors.
- 9-12.H.2.1.4 Analyze how the media and technology influence health beliefs and behaviors (e.g., social media, internet safety, and responsibility).
- 9-12.H.2.1.5 Analyze how some health risk behaviors can influence the likelihood of engaging in unhealthy behaviors (e.g., using drugs to fit in).
- 9-12.H.2.1.6 Analyze how public health policies and government regulations can influence health promotion and disease prevention.

Standard 3: Accessing Information

Goal 1.1: Students will demonstrate the ability to access valid information, products, and services to enhance health.

Grade 9-12 Objectives

Objective(s): By the end of Twelfth Grade, the student will be able to:

- 9-12.H.3.1.1 Evaluate the validity of health information, products, and services.
- 9-12.H.3.1.2 Determine the accessibility of health information, products, and services.
- 9-12.H.3.1.3 Access valid and reliable health information, products, and services.
- 9-12.H.3.1.4 Use resources from home, school, and community that provide valid health information.
- 9-12.H.3.1.5 Determine when professional health services may be required.

Standard 4: Interpersonal Communication

Goal 1.1: Students will demonstrate the ability to use interpersonal communication skills to enhance health and avoid or reduce health risks.

Grade 9-12 Objectives

Objective(s): By the end of Twelfth Grade, the student will be able to:

- 9-12.H.4.1.1 Use skills for communicating effectively with family, peers, and others to enhance health.
- 9-12.H.4.1.2 Demonstrate refusal, conflict resolution, and collaboration skills to enhance health and to avoid or reduce health risks.

- 9-12.H.4.1.3 Demonstrate strategies to prevent, manage, or resolve interpersonal conflicts without harming self or others.
- 9-12.H.4.1.4 Demonstrate how to ask for and offer assistance to enhance the health of self and others (e.g., suicide prevention, relationship violence, and bullying).

Standard 5: Decision Making

Goal 1.1: Students will demonstrate the ability to use decision-making skills to enhance health.

Grade 9-12 Objectives

Objective(s): By the end of Twelfth Grade, the student will be able to:

- 9-12.H.5.1.1 Examine barriers that can hinder healthy decision-making.
- 9-12.H.5.1.2 Determine the value of applying a thoughtful decision-making process in health-related situations (e.g., alcohol, tobacco and other drug use, **and** the consequences of a criminal record, recreational safety, safe driving behaviors, testing, social media and general online presence, food behavior, and physical activity).
- 9-12.H.5.1.3 Justify when individual or collaborative decision-making is appropriate.
- 9-12.H.5.1.4 Generate alternatives to health-related issues or problems.
- 9-12.H.5.1.5 Predict the potential short-term and long-term impact of each alternative on self, others, and the environment.
- 9-12.H.5.1.6 Defend the healthy choice when making decisions.
- 9-12.H.5.1.7 Evaluate the effectiveness of health-related decisions.

Standard 6: Goal Setting

Goal 1.1 Students will demonstrate the ability to use goal-setting skills to enhance health.

Grades 9-12 Objectives

Objective(s): By the end of Twelfth Grade, the student will be able to:

- 9-12.H.6.1.1 Assess personal health practices and overall health status.
- 9-12.H.6.1.2 Develop a plan to attain a personal health goal that addresses strengths, needs, and risks.
- 9-12.H.6.1.3 Implement effective strategies and monitor progress in achieving a personal health goal (e.g., S.M.A.R.T. goal setting strategy).
- 9-12.H.6.1.4 Formulate an effective long-term personal health plan.

Standard 7: Practice Healthy Behavior

Goal 1.1: Students will demonstrate the ability to practice health-enhancing behaviors and avoid or reduce health risks.

Grades 9-12 Objectives**Objective(s): By the end of Twelfth Grade, the student will be able to:**

- 9-12.H.7.1.1 Analyze the role of individual responsibility in enhancing health.
- 9-12.H.7.1.2 Demonstrate a variety of healthy practices and behaviors that will maintain or improve the health of self and others.
- 9-12.H.7.1.3 Explain the importance of personal hygiene, self-care (e.g., self-exams), food behavior, and physical activity.
- 9-12.H.7.1.4 Demonstrate a variety of healthy practices and behaviors that avoid or reduce health risks to self and others.
- 9-12.H.7.1.5 Instruction provided on hands-only CPR training including proper utilization of an AED.

Standard 8: Advocacy**Goal 1.1: Students will demonstrate the ability to advocate for personal, family, and community health.****Grades 9-12 Objectives****Objective(s): By the end of Twelfth Grade, the student will be able to:**

- 9-12.H.8.1.1 Use accurate information to formulate a health-enhancing message.
- 9-12.H.8.1.2 Demonstrate how to influence and support others to make positive health choices.
- 9-12.H.8.1.3 Work cooperatively as an advocate for improving personal, family, and community health.
- 9-12.H.8.1.4 Adapt health messages and communication techniques to target a specific audience.

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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. (3-15-22)

001. SCOPE.

These rules govern the thorough education of all public school students in Idaho. (3-15-22)

002. -- 003. (RESERVED)

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-15-22)

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>. (3-15-22)

- a. Arts and Humanities Categories: (3-15-22)
 - i. Dance, as revised and adopted on August 11, 2016; (3-15-22)
 - ii. Interdisciplinary Humanities, as revised and adopted on August 11, 2016; (3-15-22)
 - iii. Media Arts, as adopted on August 11, 2016. (3-15-22)
 - iv. Music, as revised and adopted on August 11, 2016; (3-15-22)
 - v. Theater, as revised and adopted on August 11, 2016; (3-15-22)
 - vi. Visual Arts, as revised and adopted on August 11, 2016; (3-15-22)
 - vii. World languages, as revised and adopted on August 11, 2016. (3-15-22)
- b. Computer Science, adopted on November 28, 2016. (3-15-22)
- c. Driver Education, as revised and adopted on August 10, 2017. (3-15-22)
- d. English Language Arts/Literacy, as revised and adopted on November 28, 2016. (3-15-22)
- e. Health, as revised and adopted on August ~~11, 2016~~ [24, 2022](#). (3-15-22)
- f. Information and Communication Technology, as revised and adopted on August 10, 2017. (3-15-22)
- ~~g. Limited English Proficiency, as revised and adopted on August 21, 2008. (3-15-22)~~
- hg. Mathematics, as revised and adopted on August 11, 2016. (3-15-22)
- ih. Physical Education, as revised and adopted on August ~~11, 2016~~ [24, 2022](#). (3-15-22)

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- ji.** Science, as revised and adopted on August 10, 2017. (3-15-22)
- kj.** Social Studies, as revised and adopted on November 28, 2016. (3-15-22)
- lk.** College and Career Readiness Competencies adopted on June 15, 2017. (3-15-22)

~~**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.wise.edu>. (3-15-22)~~

~~**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>. (3-15-22)~~

~~**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>. (3-15-22)~~

~~**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>. (3-15-22)~~

~~**a.** English Language Arts, as adopted by the State Board of Education on August 10, 2017. (3-15-22)~~

~~**b.** Mathematics, as adopted by the State Board of Education on August 10, 2017. (3-15-22)~~

~~**c.** Science, as adopted by the State Board of Education on June 19, 2019. (3-15-22)~~

~~**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>. (3-15-22)~~

072. 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>. (3-15-22)

083. 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>. (3-15-22)

094. 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>. (3-15-22)

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 [set by the State Board of eEducation and](#) 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.

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02. Advanced Opportunities. Placement courses, Dual Credit courses, Technical Competency Credit, or International Baccalaureate programs. (3-15-22)

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. (3-15-22)

04. All Students. All public school students, grades K-12. (3-15-22)

05. Assessment. The process of quantifying, describing, or gathering information about skills, knowledge or performance. (3-15-22)

06. Assessment Standards. Statements setting forth guidelines for evaluating student work, as in the “Standards for the Assessment of Reading and Writing.” (3-15-22)

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. (3-15-22)

08. Career Technical Education. Formal preparation for semi-skilled, skilled, technical, or paraprofessional occupations, usually below the baccalaureate level. (3-15-22)

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. (3-15-22)

10. Content Standards. Describe the knowledge, concepts, and skills that students are expected to acquire at each grade level in each content area. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

14. Idaho Standards Achievement Tests. Statewide assessments aligned to the state content standards

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and used to measure a student's knowledge of the applicable content standards. (3-15-22)

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. (3-15-22)

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. (3-15-22)

17. Portfolio. A collection of materials that documents and demonstrates a student's academic and work-based learning. A portfolio 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. (3-15-22)

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. (3-15-22)

19. Proficiency. Having or demonstrating a high degree of knowledge or skill in a particular area. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

23. Unique Student Identifier. A number issued and assigned by the Board or designee to each student currently enrolled or who will be enrolled in an Idaho local education agency to obtain data. (3-15-22)

008. – 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. (3-15-22)

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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. (3-15-22)

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. (3-15-22)

02. Instructional Courses. At appropriate grade levels, instruction will include but not be limited to the following: (3-15-22)

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. (3-15-22)

b. Mathematics will include instruction in addition, subtraction, multiplication, division, percentages, mathematical reasoning and probability. (3-15-22)

c. Science will include instruction in applied sciences, earth and space sciences, physical sciences, life sciences, and computer science. (3-15-22)

d. Social Studies will include instruction in history, government, geography, economics, current world affairs, citizenship, and sociology. (3-15-22)

104. OTHER REQUIRED INSTRUCTION.

Other required instruction for all students and other required offerings of the school are: (3-15-22)

01. Elementary Schools. (3-15-22)

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)

[Computational thinking and digital literacy](#) (3-15-22)

b. Additional instructional options as determined by the local school district. For example:

Languages other than English

Career Awareness (3-15-22)

02. Middle Schools/Junior High Schools. (3-15-22)

a. No later than the end of Grade eight (8) each student shall develop parent-approved student career pathway plans for their high school and post-high school options. The career pathway 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

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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. (3-15-22)

b. A student must have met the grade eight (8) mathematics standards before the student will be permitted to enter grade nine (9). (3-15-22)

c. Other required instruction for all middle school students:

Career exploration
Health (wellness)
Physical Education (fitness)
Computational thinking and digital literacy (3-15-22)

d. Other required offerings of the school:

Fine and Performing Arts
Career Technical Education
Advisory Period (middle school only, encouraged in junior high school) (3-15-22)

03. High Schools. (3-15-22)

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. (3-15-22)

b. High schools will annually review and update with the student the student career pathway plans specified in Subsection 104.02.a. (3-15-22)

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. (3-15-22)

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.e. through 105.01.h~~ [this section](#). (3-15-22)

a. Credits. One (1) credit shall equal sixty (60) hours of total instruction. School districts or LEA's may request a waiver from this provision by submitting a letter to the State Department of Education for approval, signed by the superintendent and chair of the board of trustees of the district or LEA. The waiver request shall provide information and documentation that substantiates the school district or LEA's reason for not requiring sixty (60) hours of total instruction per credit. (3-15-22)

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 education agency (LEA.) (3-15-22)

c. Secondary Language Arts and Communication. Nine (9) credits are required. Eight (8) credits of instruction in Language Arts. Each year of Language Arts shall consist of language study, composition, and literature and be aligned to the Idaho Content Standards for the appropriate grade level. One (1) credit of instruction in communications consisting of oral communication and technological applications that includes a course in speech, a course in debate, or a sequence of instructional activities that meet the Idaho Speech Content Standards requirements.

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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 including mathematics taken through career technical education programs. 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. (3-15-22)

i. Students must complete secondary mathematics in the following areas: (3-15-22)

(1) Two (2) credits of Algebra I, Algebra I level equivalent Integrated Mathematics or courses that meet the High School Algebra Content Standards; (3-15-22)

(2) Two (2) credits of Geometry, Geometry level equivalent Integrated Mathematics, or courses that meet the Idaho High School Geometry Content Standards; and (3-15-22)

(3) Two (2) credits of mathematics of the student's choice. (3-15-22)

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. (3-15-22)

i. Secondary sciences include instruction in the following areas: biology, computer science, physical science or chemistry, and earth, space, environment, or approved applied science. (3-15-22)

f. Social Studies. Five (5) credits are required, including government (two (2) credits), United States history (two (2) credits), and economics/[financial literacy](#) (one (1) credit). Courses such as geography, sociology, psychology, and world history may be offered as electives, but are not to be counted as a social studies requirement. (3-15-22)

g. Humanities. Two (2) credits are required. Humanities courses include instruction in visual arts, music, theatre, dance, or world language aligned to the Idaho content standards for those subjects. Other courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if the course is aligned to the Interdisciplinary Humanities Content Standards. (3-15-22)

h. Health/Wellness. One (1) credit is required. Course must be aligned to the Idaho Health Content Standards. Effective for all public school students who enter grade nine (9) in Fall 2015 or later, each student shall receive a minimum of one (1) class period on psychomotor cardiopulmonary resuscitation (CPR) training as outlined in the American Heart Association (AHA) Guidelines for CPR to include the proper utilization of an automatic external defibrillator (AED) as part of the Health/Wellness course. (3-15-22)

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. (3-15-22)

i. [Computer Science. For students entering grade 9 during the fall of 2025 one \(1\) credit of computer science and computational thinking. For students entering grade 9 during the fall of 2026 two \(2\) credits of computer science and computational thinking. One \(1\) credit may be used to meet the computer science credit requirement concurrently with meeting one \(1\) mathematics or one \(1\) science credit.](#)

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02. Content Standards. Each student shall meet locally established subject area standards (using state content standards as minimum requirements) demonstrated through various measures of accountability including examinations or other measures. (3-15-22)

03. 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. (3-15-22)

04. 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. (3-15-22)

05. Middle School. A student will have met the high school content and credit area requirement for any high school course if the requirements outlined in Subsections 105.06.a. through 105.06.c. of this rule are met. (3-15-22)

a. The student completes such course with a grade of C or higher before entering grade nine (9); (3-15-22)

b. The course meets the same content standards that are required in high school for the same course; and (3-15-22)

c. The course is taught by a teacher properly certified to teach high school content and who meets the federal definition of highly qualified for the course being taught. (3-15-22)

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 will be transferred to the student's high school transcript. Notwithstanding this requirement, the student's parent or guardian shall be notified in advance when credits are going to be transcribed and may elect to not have the credits and grade transferred to the student's high school transcript. Courses taken in middle school appearing in the student's high school transcript, pursuant to this subsection, shall count for the purpose of high school graduation. However, the student must complete the required number of credits in all high school core subjects as identified in Subsections 105.01.c. through 105.01.h. except as provided in 105.01.d.iii. The transcribing high school is required to verify the course meets the requirements specified in Subsections 105.05.a. through 105.05.c. of this rule. (3-15-22)

06. Special Education Students. A student who is eligible for special education services under the Individuals With Disabilities Education Improvement Act may, with the assistance of the student's Individualized Education Program (IEP) team, meet the graduation requirements through to the current Idaho Special Education Manual specifications. (3-15-22)

07. Foreign Exchange Students. A foreign exchange student may be eligible for graduation by completing a comparable program as approved by the LEA. (3-15-22)

106. ADVANCED OPPORTUNITIES.

01. Advanced Opportunities Requirement. All high schools in Idaho shall be required to provide Advanced Opportunities, or provide opportunities for students to take courses at the postsecondary campus.

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02. Advanced Opportunities Early Graduation Scholarship Funding. (3-15-22)

a. Scholarship Calculation. (3-15-22)

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. (3-15-22)

ii. The statewide average daily attendance-driven funding per enrolled pupil shall be recalculated each fiscal year. (3-15-22)

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. (3-15-22)

b. Payments to Idaho Colleges and Universities. (3-15-22)

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. (3-15-22)

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. (3-15-22)

c. Payments to Public Schools. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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 address the credit requirements, credit recovery, alternate mechanisms and attendance. The LEA may establish credit requirements beyond the state minimum. (3-15-22)

01. Credit Requirements. Each LEA credit system shall require a student to attain 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. (3-15-22)

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. (3-15-22)

03. Alternate Mechanism. An 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. (3-15-22)

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04. Attendance. Attendance shall be an element included in the credit system, alternate mechanism or both. (3-15-22)

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. (3-15-22)

06. Limited English Proficient (LEP) Students. The Educational Learning Plan (ELP) team for 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. (3-15-22)

108. COLLEGE AND CAREER ADVISING GUIDANCE PROGRAMS.

In each Idaho school, a comprehensive advising program will be provided as an integral part of the educational program. A comprehensive guidance and counseling program includes these elements: (3-15-22)

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. (3-15-22)

02. Individual Planning. Individualized planning with students and their parents in each of these domains: personal/social development, educational development, and career development. (3-15-22)

03. Response Services of Counseling, Consultation, and Referral. (3-15-22)

04. System Support Functions That Promote Effective Delivery of Guidance Services. (3-15-22)

109. SPECIAL EDUCATION.

01. Definitions. The following definitions apply only to Section 109 of these rules. (3-15-22)

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. (3-15-22)

b. Due Process Hearing. An administrative hearing that is conducted to resolve disputes. (3-15-22)

i. Regular due process hearing regarding issues on any matter related to identification, evaluation, placement, or the provision of a free appropriate public education. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

02. Legal Compliance. The State Department of Education and education agencies shall comply with

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all laws governing special education requirements. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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: (3-15-22)

i. Is an accredited school or a licensed rehabilitation center; and (3-15-22)

ii. Meets minimum health, fire and safety standards; and (3-15-22)

iii. Is nonsectarian; and (3-15-22)

iv. Provides special education services consistent with governing special education requirements. (3-15-22)

v. Any private school or facility aggrieved by the Department's final decision may appeal that decision to the State Board of Education. (3-15-22)

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 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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

c. The IEP team shall determine the student's placement in the least restrictive environment. (3-15-22)

d. At the discretion of the education agency, an individualized family service plan (IFSP) may be used in place of an IEP if: (3-15-22)

i. The child is ages three (3) through five (5), and (3-15-22)

ii. The child's parents are provided with a detailed explanation of the differences between an IFSP and an IEP, and (3-15-22)

iii. The child's parents provide written consent to use the IFSP, and (3-15-22)

iv. The IFSP is developed in accordance with IDEA Part B policies and procedures. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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

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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. (3-15-22)

05. Procedural Safeguards. Education agencies will use appropriate procedural safeguards consistent with the Individuals with Disabilities Education Act. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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 qualifications. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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

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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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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, stolen, or damaged due to negligence or misuse at home or in another setting outside of school time. (3-15-22)

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. (3-15-22)

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. (3-15-22)

110. ALTERNATIVE SECONDARY PROGRAMS.

Alternative secondary programs are those that provide special instructional courses and offer special services to

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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. (3-15-22)

01. Instruction. Special instruction courses for at-risk youth enrolled in an alternative secondary program will include: (3-15-22)

- a.** Core academic content that meets or exceeds minimum state standards; (3-15-22)
- b.** A physical fitness and personal health component; (3-15-22)
- c.** Career and technical education component approved by the state division of career technical education; (3-15-22)
- d.** A personal finance, parenting, and child care component; and (3-15-22)
- e.** A personal and career counseling component. (3-15-22)

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. (3-15-22)

03. Special Services. Special services for at-risk youth enrolled in alternative secondary programs include the following where appropriate: (3-15-22)

- a.** A day care center when enrollees are also parents. This center should be staffed by a qualified child care provider. (3-15-22)
- b.** Direct social services that may include officers of the court, social workers, counselors/psychologists. (3-15-22)
- c.** All services in accordance with the student's Individualized Education Program. (3-15-22)

111. ASSESSMENT IN THE PUBLIC SCHOOLS.

01. Philosophy. Acquiring the basic skills is essential to realization of full educational, vocational and personal/social development. Since Idaho schools are responsible for instruction in the basic scholastic skills, the State Board of Education has a vested interest in regularly surveying student skill acquisition as an index of the effectiveness of the educational program. This information can best be secured through objective assessment of student growth. The State Board of Education will provide oversight for all components of the comprehensive assessment program. (3-15-22)

- 02. Purposes.** The purpose of assessment in the public schools is to: (3-15-22)
- a.** Measure and improve student achievement; (3-15-22)
 - b.** Assist classroom teachers in designing lessons; (3-15-22)
 - c.** Identify areas needing intervention and remediation, and acceleration; (3-15-22)
 - d.** Assist school districts in evaluating local curriculum and instructional practices in order to make needed curriculum adjustments; (3-15-22)
 - e.** Inform parents and guardians of their child's progress; (3-15-22)

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- f.** Provide comparative local, state and national data regarding the achievement of students in essential skill areas; (3-15-22)
- g.** Identify performance trends in student achievement across grade levels tested and student growth over time; and (3-15-22)
- h.** Help determine technical assistance/consultation priorities for the State Department of Education. (3-15-22)

03. Content. The comprehensive assessment program will consist of multiple assessments, including, the Idaho Reading Indicator (IRI), the National Assessment of Educational Progress (NAEP), the Idaho English Language Assessment, the Idaho Standards Achievement Tests (ISAT), the Idaho Alternate Assessment, and a college entrance exam. (3-15-22)

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. (3-15-22)

a. All students who are eligible for special education shall participate in the statewide assessment program. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

a. All students taking the Idaho Standards Achievement Test (ISAT) must have a unique student identifier. (3-15-22)

b. Districts must send all assessment results and related communication to parents within three (3) weeks of receipt from the state. (3-15-22)

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. (3-15-22)

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- a. Kindergarten - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (3-15-22)
- b. Grade 1 - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (3-15-22)
- c. Grade 2 - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (3-15-22)
- 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. (3-15-22)
- e. Grade 4 - National Assessment of Educational Progress, Grade 4 Idaho Standards Achievement Tests in English language usage and mathematics, Idaho Alternate Assessment, Idaho English Language Assessment. (3-15-22)
- f. Grade 5 - Grade 5 Idaho Standards Achievement Tests in English language usage, mathematics, and science; Idaho Alternate Assessment; Idaho English Language Assessment. (3-15-22)
- g. Grade 6 - Grade 6 Idaho Standards Achievement Tests in English language usage and mathematics, Idaho Alternate Assessment, Idaho English Language Assessment. (3-15-22)
- h. Grade 7 - Grade 7 Idaho Standards Achievement Tests in English language usage and mathematics, Idaho Alternate Assessment, Idaho English Language Assessment. (3-15-22)
- 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. (3-15-22)
- 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. (3-15-22)
- k. Grade 10 - [High School Idaho Standards Achievement Tests \(optional at the discretion of the school district or charter school\)](#), Idaho Alternate Assessment, Idaho English Language Assessment. (3-15-22)
- l. Grade 11 - High School Idaho Standards Achievement Test in English language usage and mathematics, science, Idaho Alternate Assessment, Idaho English Language Assessment, and college entrance exam ([optional at the discretion of the student's parent](#)). (3-15-22)
- m. Grade 12 - National Assessment of Educational Progress, Idaho English Language Assessment, and college entrance exam ([optional at the discretion of the student's parent](#)). (3-15-22)
- 07. Comprehensive Assessment Program Schedule. (3-15-22)**
 - a. The Idaho Standards Achievement Tests will be administered in the Spring in a time period specified by the State Board of Education. (3-15-22)
 - b. The Idaho Alternate Assessment will be administered in a time period specified by the State Board of Education. (3-15-22)
 - c. Idaho's English Language Assessment will be administered in a time period specified by the State Board of Education. (3-15-22)

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08 Achievement Standards and Performance Level Descriptors. Assessment achievement standards, development standards, and performance level descriptors will be set by the State Board of Education in a schedule and format established by the Board and will be made available through the State Board of Education and Department of Education websites. Achievement standards, development standards, and performance level descriptors include, but are not limited to:

a. The English Language Development (ELD) Standards. The WIDA 2020 English Language Development (ELD) Standards. Copies of the document can be found at <https://wida.wisc.edu>.

b. The Idaho English Language Proficiency Assessment (ELPA) Achievement Standards.

c. The Idaho Standards Achievement Tests (ISAT) Achievement Level Descriptors.

d. The Idaho Content Standards Core Content Connectors.

i. English Language Arts.

ii. Mathematics.

iii. Science.

e. The Idaho Alternate Assessment Achievement Standards.

08. Costs Paid by the State. Costs for the following testing activities will be paid by the state: (3-15-22)

a. All consumable and non-consumable materials needed to conduct the prescribed statewide comprehensive assessment program; (3-15-22)

b. Statewide distribution of all assessment materials; and (3-15-22)

c. Processing and scoring student response forms, distribution of prescribed reports for the statewide comprehensive assessment program. (3-15-22)

09. Costs of Additional Services. Costs for any additional administrations or scoring services not included in the prescribed statewide comprehensive assessment program will be paid by the participating school districts. (3-15-22)

10. Test Security, Validity and Reliability. (3-15-22)

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. (3-15-22)

b. Any assessment used for federal reporting shall be independently reviewed for reliability, validity, and alignment with the Idaho Content Standards. (3-15-22)

11. Demographic Information. Accurate demographic information must be submitted as required for each test to assist in interpreting test results. It may include but is not limited to race, sex, ethnicity, and special programs, (Title I, English proficiency, migrant status, special education status, gifted and talented status, and socio-economic status). (3-15-22)

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12. Dual Enrollment. For the purpose of non-public school student participation in non-academic public school activities as outlined in Section 33-203, Idaho Code, the Idaho State Board of Education recognizes the following: (3-15-22)

a. The Idaho Standards Achievement Tests (grades 3-8 and High School). (3-15-22)

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. (3-15-22)

i. Language Arts/Communications. (3-15-22)

ii. Math. (3-15-22)

iii. Science. (3-15-22)

iv. Social Studies. (3-15-22)

v. Health. (3-15-22)

vi. Humanities. (3-15-22)

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. [In addition to those measures identified in the state accountability framework, all school categories will administer an annual satisfaction and engagement survey to parents, students, and teachers.](#) (3-15-22)

01. School Category. (3-15-22)

a. Kindergarten through grade eight (K-8): Schools in this category include elementary and middle schools as defined in Subsection 112.05.f. (3-15-22)

b. High Schools, not designated as alternative high schools, as defined in Subsection 112.05.f. (3-15-22)

c. Alternative High Schools. (3-15-22)

02. Academic Measures ~~by School Category.~~ (3-15-22)

a. K-8, [High School, and Alternative High School:](#) (3-15-22)

i. Idaho Standards Achievement Tests (ISAT) Proficiency. (3-15-22)

ii. ISAT growth toward proficiency based on a trajectory model approved by the State Board of Education. (3-15-22)

iii. ISAT proficiency gap closure. (3-15-22)

~~iv. Idaho statewide reading assessment proficiency. (3-15-22)~~

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- v. English Learners achieving English language proficiency. (3-15-22)
- vi. English Learners achieving English language growth toward proficiency. (3-15-22)
- b. K-8 only:**
- i. Idaho statewide reading assessment proficiency as applicable to the grades served.**
- b. High School and Alternative High School specific:** (3-15-22)
 - ~~i. ISAT proficiency. (3-15-22)~~
 - ~~ii. ISAT proficiency gap closure. (3-15-22)~~
 - ~~iii. English Learners achieving English language proficiency. (3-15-22)~~
 - ~~iv. English Learners achieving English language growth toward proficiency. (3-15-22)~~
- ~~v.i. 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. (3-15-22)~~
- ~~v.ii. 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. (3-15-22)~~
- ~~c. Alternative High School: (3-15-22)~~
 - ~~i. ISAT proficiency. (3-15-22)~~
 - ~~ii. English learners achieving English language proficiency. (3-15-22)~~
 - ~~iii. English learners achieving English language growth towards proficiency. (3-15-22)~~
 - ~~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. (3-15-22)~~
 - ~~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. (3-15-22)~~
- 03. School Quality Measures by School Category.** (3-15-22)
 - a. K-8, High School, and Alternative High School:** (3-15-22)
 - i. Communication with parents on student achievement
 - ii. Chronic absenteeism
 - b. K-8 Only**
 - i. Students in grade 8 enrolled in pre-algebra or higher. (3-15-22)
 - ~~ii. Communication with parents on student achievement (effective starting in the 2018-2019 school year). (3-15-22)~~
 - b.c. High School and Alternative High School:** (3-15-22)

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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. (3-15-22)

ii. Credit recovery and accumulation.

d. High School only:

ii. Students in grade 9 enrolled in algebra I or higher. (3-15-22)

iii. Communication with parents on student achievement (effective starting in the 2018-2019 school year). (3-15-22)

ee. Alternative High School only: (3-15-22)

~~i. Credit recovery and accumulation. (3-15-22)~~

~~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. (3-15-22)~~

~~iii. State satisfaction and engagement survey administered to parents, students, and teachers (effective starting in the 2018-2019 school year). (3-15-22)~~

~~iv. Communication with parents on student achievement (effective starting in the 2018-2019 school year). (3-15-22)~~

04. Reporting. Methodologies for reporting measures and determining performance will be set by the State Board of Education. (3-15-22)

05. Annual Measurable Progress Definitions. For purposes of calculating and reporting progress, the following definitions shall be applied. (3-15-22)

a. Annual Measurable Progress. (3-15-22)

i. 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. (3-15-22)

ii. 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. (3-15-22)

b. Full Academic Year (continuous enrollment). (3-15-22)

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. (3-15-22)

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. (3-15-22)

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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. (3-15-22)

c. Participation Rate. (3-15-22)

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. (3-15-22)

(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. (3-15-22)

(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. (3-15-22)

ii. For groups of ten (10) or more students, absences for the state assessment may not exceed five percent (5%) of the current enrollment or two (2) students, whichever is greater. Groups of less than ten (10) students will not have a participation determination. (3-15-22)

d. Schools. As used in this section, schools refers to any school within a school district or charter district and public charter schools. (3-15-22)

i. An elementary school includes a grade configuration of grades Kindergarten (K) through six (6) inclusive, or any combination thereof. (3-15-22)

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). (3-15-22)

iii. A high school is any school that contains grade twelve (12). (3-15-22)

iv. An alternative high school is any school that contains grade twelve (12) and meets the requirements of Section 110 of these rules. (3-15-22)

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. (3-15-22)

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. (3-15-22)

e. Subgroups. Scores on the ISAT must be disaggregated and reported by the following subgroups: (3-15-22)

i. Race/Ethnicity - Black/African American, Asian, Native Hawaiian/Pacific Islander, White, Hispanic/Latino Ethnicity, American Indian/Alaska Native. (3-15-22)

ii. Economically disadvantaged - identified through the free and reduced lunch program. (3-15-22)

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iii. Students with disabilities - individuals who are eligible to receive special education services through the Individuals with Disabilities Education Act (IDEA). (3-15-22)

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: (3-15-22)

(1) Individuals whose native language is a language other than English; or (3-15-22)

(2) Individuals who come from environments where a language other than English is dominant; or (3-15-22)

(3) Individuals who are American Indian and Alaskan natives and who come from environments where a language other than English has had a significant impact on their level of English language proficiency, and who, by reason thereof, have sufficient difficulty speaking, reading, writing, or understanding the English language to deny such individuals the opportunity to learn successfully in classrooms, where the language of instruction is English. (3-15-22)

f. **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. (3-15-22)

g. **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. (3-15-22)

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. (3-15-22)

02. Compliance with Federal Law. All schools and local educational agencies in this state shall comply with applicable federal laws governing specific federal grants. (3-15-22)

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. (3-15-22)

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

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such event, non-title I schools shall be required to fund such compliance costs from general operating funds. (3-15-22)

115. -- 117. (RESERVED)

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. (3-15-22)

119. -- 127. (RESERVED)

128. CURRICULAR MATERIALS SELECTION AND ONLINE COURSE APPROVAL (SECTIONS 33-118; 33-118A, IDAHO CODE).

The State Board of Education will appoint a committee to select curriculum materials. Committee appointments will be for a period of five (5) years. Committee appointments shall consist of not less than ten (10) total members from the following stakeholder groups: certified Idaho classroom teachers, Idaho public school administrators, Idaho higher education officials, parents, trustees, local board of education members, members of the Division of Career Technical Education, and State Department of Education personnel. The Executive Secretary will be an employee of the State Department of Education and will be a voting member of the committee. The State Department of Education shall charge publishers submission fees of sixty dollars (\$60) or equal to the retail price of each, whichever is greater, to defray the costs incurred in the curricular material review and adoption process. (3-23-22)

01. Subject Areas. Curricular materials are adopted by the State Board of Education for a period of six (6) years in the following subject areas: reading, English, spelling, speech, journalism, languages other than English, art, drama, social studies, music, mathematics, business education, career education and counseling, vocational/technical education, science, health, physical education, handwriting, literature, driver education, limited English proficiency. (3-23-22)

02. Multiple Adoptions. Multiple adoptions are Made in Each Subject Area. (3-23-22)

03. Bids. Each publisher must deliver, according to the committee schedule, a sealed bid on all curricular materials presented for adoption. (3-23-22)

04. Depository. The State Board will appoint a depository for the state-adopted curricular materials. Resource materials are a local option. (3-23-22)

05. Local Policies. School districts will follow their own policies for adoption in subject areas offered by a school district for which materials are not covered by the state curriculum materials committee. (3-23-22)

06. Online Course Review and Approval Process. The State Department of Education shall administer the review and approval of online course providers and courses. Reviewers shall be certified Idaho classroom teachers. Online course providers are approved for a period of four (4) years. The State Department of Education shall charge online course providers submission fees based on the number of courses offered, not to exceed the actual costs incurred in the online course and course provider review and approval process. (3-23-22)

129. -- 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

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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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

141. -- 159. (RESERVED)

160. SAFE ENVIRONMENT AND DISCIPLINE.

01. Each school district and public charter school will have a comprehensive district/school wide policy and procedures 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
Relationship Abuse and Sexual Assault Prevention and Response

a. Student health policies must include:

i. seizure action plans identifying staff qualified to assist in the instance of a seizure, administration of seizure rescue medication, and any required staff training and timelines for training.

ii. administration of medical inhalers, epinephrine auto-in-ejectors, insulin and blood glucose monitoring, pursuant to Section 33-520, Idaho code.

b. ~~Districts will conduct an annual~~ A review of these policies and procedures will be conducted annually. (See Section 33-1612, Idaho Code)

(3-15-22)

161. -- 170. (RESERVED)

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171. GIFTED AND TALENTED PROGRAMS.

01. Definitions. The following definitions apply only to Section 171 of these rules. (3-15-22)

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. (3-15-22)

02. 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: (3-15-22)

a. Philosophy statement. (3-15-22)

b. Definition of giftedness. (3-15-22)

c. Program goals. (3-15-22)

d. Program options. (3-15-22)

e. Identification procedures. (3-15-22)

f. Program evaluation. (3-15-22)

03. Screening. The district's process for identifying gifted and talented students shall include the following steps: (3-15-22)

a. The district shall screen all potentially gifted and talented students to ensure they have an opportunity to be considered; and (3-15-22)

b. The district shall assess those students meeting the screening criteria and gather additional information concerning their specific aptitudes and educational needs; and (3-15-22)

c. The district shall match student needs with appropriate program options. (3-15-22)

04. 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: (3-15-22)

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. (3-15-22)

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. (3-15-22)

c. Information about students shall be obtained from multiple sources, such as teachers, counselors,

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peers, parents, community members, subject area experts, and the students themselves.

(3-15-22)

172. -- 199. (RESERVED)

200. K-12 IDAHO CONTENT STANDARDS.

~~As stated in Subsection 105.02 of these Thoroughness rules, sets forth the minimum graduation requirements for all students graduating from Idaho public high schools, as authorized by Section 33-118, Idaho Code, must meet locally established content standards.~~ The standards set forth in Section 004 ~~of this rule~~ are ~~state content standards that shall be~~ are the minimum standards to be 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.

(3-15-22)

201. -- 999. (RESERVED)

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SUBJECT

Proposed Rules – Docket No. 08-0204-2201, Rules Governing Public Charter Schools and Docket No. 08-0301-2201, Rules Governing Public Charter School Commission

REFERENCE

August 29, 2019	Board approved proposed rule amendments to IDAPA 08.02.04 pertaining to the renewal of performance certificates.
November 26, 2019	Board approved proposed rule Docket 08-0204-1901.
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.
October 2021	Board approved proposed Omnibus rule, Docket 08-0000-2100, incorporating proposed rules approved in August 2021.
November 2021	Board approved pending Omnibus rule, Docket 08-0000-2100.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Administrative Code, IDAPA 08.02.04, Rules Governing Public Charter Schools and IDAPA 08.03.01, Rules Governing Public Charter School Commission
Executive Order 2020-01
Chapter 52, Title 33, Idaho Code

BACKGROUND/DISCUSSION

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

For the 2022-2023 rulemaking cycle the following rules were identified for review, IDAPA 08.01.11, 08.01.13 and 08.02.03. Additionally, staff were asked to accelerate the review of the two charter school sections of rule and look at how they could be combined into a single section. In addition to these sections of rule being reviewed, DFM and the State Office of Administrative Rules have enacted new procedures requiring any rulemaking within a chapter to be consolidated in a

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single Docket. In past years the Board could consider multiple rule Dockets from the same IDAPA chapter in different dockets, based on each subject contained in that chapter. As an example, in the past the Board could consider a Docket amending IDAPA 08.02.01.100 and a separate Docket with amendments to IDAPA 08.02.01.800. Now all amendments to IDAPA 08.02.01 must be consolidated in a single Docket for IDAPA 08.02.01.

The Zero Based Regulations review process requires each agency and board to 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 where possible.

IDAPA 08.02.04, Rules Governing Public Charter Schools, establishes general provisions that apply to all public charter schools. These provisions include application requirements, minimum admissions procedures, authorizer responsibilities, and appeals processes along with other procedures. IDAPA 08.03.01, Rules of the Public Charter School Commission, establishes provisions that apply to the authorization of charter schools going before the Public Charter School Commission. Many of these provisions are either duplicative of the processes required by all charter school petitioners or can be established through the Commission's policies.

IMPACT

The proposed rule will combine IDAPA 08.02.04 and IDAPA 08.03.01, consolidating all of the charter school provisions into a single chapter and remove any language duplicative of statute. IDAPA 08.03.01 will be repealed. The approval of this proposed rule will allow the rule to be published in the Administrative Bulletin, at which time the 21-day public comment period will start.

ATTACHMENTS

Attachment 1 – Proposed Rule Docket No. 08-0204-2201

Attachment 2 – Proposed Rule Docket No. 08-0301-2201 – Chapter Repeal

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Administrative rules are made up of three types of rules, temporary rules, proposed rules and pending rules. Temporary and proposed rules may be promulgated jointly with a single docket number or temporary rules may be promulgated as a standalone rule. The Notice of Intent to Promulgate Rules was published in the July 6, 2022 (Vol 22-7) Idaho Administrative Rules Bulletin.

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 received comments 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 consideration. Once approved, pending rules will be submitted to the

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Department of Administration for publication in the Idaho Administrative Rules Bulletin and are then forwarded to the legislature for consideration. Pending rules become effective at the end of the legislative session in which they are submitted, if they are not rejected by the Legislature.

Staff recommends approval.

BOARD ACTION

I move to approve proposed rule – Docket 08-0204-2201, as submitted in Attachment 1 and proposed rule – Docket 08-0301-2201 as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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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. (3-15-22)

001. SCOPE.

These rules establish a consistent application and review process for the approval and maintenance of public charter schools in Idaho. (3-15-22)

002. (RESERVED)

003. ADMINISTRATIVE APPEALS.

The provisions found in Sections 400 through 404, of these rules, govern administrative appeals of public charter schools. (3-15-22)

004. -- 009. (RESERVED)

010. DEFINITIONS.

01. Authorizer Fee. Fee paid by each public charter school to its authorized chartering entity. (3-15-22)

02. Board. Means the Idaho State Board of Education. (3-15-22)

03. Charter Holder. Means the governing board of the non-profit corporation to which a charter has been granted by an authorized chartering entity, as defined in Section 33-5202A(a), Idaho Code.

034. Commission. Means the Idaho Public Charter School Commission, as provided by Section 33-5213, Idaho Code. (3-15-22)

045. Department. Means the Idaho Department of Education. (3-15-22)

06. District. Means an Idaho public school district.

057. 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. (3-15-22)

068. 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. (3-15-22)

079. School Year. Means the period beginning on July 1 and ending the next succeeding June 30 of each year. (3-15-22)

0140. -- 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

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any charter revisions upon request.

(3-15-22)

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 confirm with the Board, on or before ~~March-June~~ 1 preceding the next succeeding school year, that it is able to begin educational instruction during such school year. (3-15-22)

101. AUTHORIZED CHARTERING ENTITY.

01. Institution Governing Board. An institution or district shall receive approval from their governing board prior to accepting petitions or authorizing any charter schools. (3-15-22)

~~a. Petitions shall be submitted to the president of the institution or his designee. (3-15-22)~~

~~b. An institution may approve or deny a petition. (3-15-22)~~

ea. 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 other authorized chartering entity. (3-15-22)

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. (3-15-22)

a. The authorizer must provide notification of the delinquent fee to the charter school prior to reporting to the Department. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)~~

021. 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. (3-15-22)

032. 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. (3-15-22)

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201. POLICIES AND PROCEDURES ADOPTED BY AN AUTHORIZED CHARTERING ENTITY.

An authorized chartering entity ~~may~~ must 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 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. (3-15-22)

202. NEW PUBLIC CHARTER SCHOOL APPLICATION REQUIREMENTS.

~~Pursuant to Section 33-5205, Idaho Code, p~~ Petitioners seeking to establish a new public charter school must apply to an authorized chartering entity through the submittal of a petition ~~complete an application~~ consisting of all of the following elements: (3-15-22)

01. Introduction. Briefly introduce the proposed public charter school by providing the following: (3-15-22)

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; (3-15-22)

b. Table of contents; (3-15-22)

c. One-page (1) executive summary describing the proposed school's organizational structure, educational program, and student outcome expectations; and (3-15-22)

d. Mission statement. (3-15-22)

02. Educational Program. Describe the proposed school's educational program by explaining the following: (3-15-22)

a. Educational philosophy; (3-15-22)

b. Student academic achievement standards and any additional goals and methods for measuring achievement; (3-15-22)

c. Key educational design elements, including curricula, tools and instructional methods identified to carry out the educational philosophy and meet the stated academic achievement standards and ~~mission specific~~ goals, which may include evidence demonstrating efficacy of these elements; and (3-15-22)

d. Strategies for meeting the needs of specific student populations, including, but not limited to, students identified as at-risk students, students who qualify for special education or gifted and talented services, or students identified as English language learners, ~~and gifted students~~. (3-15-22)

03. Financial and Facilities Plan. Demonstrate a sound understanding of public charter school finances and facilities needs. (3-15-22)

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; (3-15-22)

b. Describe how the school's finances will be managed and monitored; (3-15-22)

c. Provide a working draft of the school's prospective facilities plan, including likely facilities needs and estimated costs; (3-15-22)

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d. Provide a description of any potential facilities that have been identified and a timeline and process for securing appropriate space; and (3-15-22)

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 existing and anticipated funds; and evidence that projected facilities costs are reasonable within the start-up and three-year budgets. (3-15-22)

04. Board Capacity ~~And~~ and Governance Structure. Provide information about the legal entity and the individuals involved in opening the proposed school. (3-15-22)

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; (3-15-22)

b. Provide a description of the governance structure; (3-15-22)

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; (3-15-22)

d. Describe the board's plan for a smooth transition from initial founding members to subsequent members; and (3-15-22)

e. Describe the plan for board member recruitment and training. (3-15-22)

05. Student Demand and Primary Attendance Area. Demonstrate the need and community demand for the proposed public charter school in the selected location. (3-15-22)

a. Describe the primary attendance area and list the public school districts that overlap this area; (3-15-22)

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; (3-15-22)

c. Describe the population of students the proposed school intends to serve and how the selected location supports serving such students; (3-15-22)

d. Provide the target enrollment by grade level and projected growth over the first ~~five~~-three (3) years of operations and maximum student enrollment capacity if the petitioners do not anticipate reaching capacity by year three (3); (3-15-22)

e. Describe any community partnerships or other local support for the proposed school; and (3-15-22)

f. Describe strategies for informing under-served students and their families about the prospective school and the enrollment process. (3-15-22)

06. School Leadership and Management. Describe the proposed school's administrative leadership structure, and provide information about any potential education service providers. (3-15-22)

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,

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include their names, contact information, resumes, and any additional information about their qualifications in the appendices. (3-15-22)

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. (3-15-22)

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: (3-15-22)

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; (3-15-22)

ii. Copies of the two (2) most recent contracts that the entity has executed with operating charter schools; and (3-15-22)

iii. A detailed description of the education service provider's relationship to the school's board of directors; (3-15-22)

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. (3-15-22)

07. Supporting Documents. (3-15-22)

a. Appendix A – Budgets, cash flow, additional funds. (3-15-22)

b. Appendix B – Articles of Incorporation and Bylaws. (3-15-22)

c. Appendix C – Board of Directors. (3-15-22)

d. Appendix D – School Administration. (3-15-22)

e. Appendix E – Education Service Provider. (3-15-22)

f. Appendix F – Optional additional supporting documents. (3-15-22)

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 shall be determined by an equitable selection process, 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. The commission shall make available to all public charter schools a model procedure. The equitable selection process must be held within seven (7) days of the enrollment deadlines as defined in Subsection 203.02 of these rules and must take place in a public setting, the date and time of which must be noticed to the public at least 48 hours in advance.~~ (3-15-22)

02. Enrollment Deadline. A charter holder shall establish an enrollment deadline for each school year and may establish an enrollment capacity below that stated in the public charter school's performance certificate. The deadline shall be established either by annual vote of the charter holder's board of directors or by establishment of

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charter holder policy. The enrollment deadline 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. Neither the enrollment deadline nor a lowered enrollment capacity may be changed once the enrollment information is disseminated as required by Subsection 203.03.

023. Enrollment Opportunities. ~~A C~~charter holders shall ensure that citizens in the primary attendance area, ~~as it is defined in the school's performance certificate, shall be~~ made aware of the enrollment opportunities of the public charter school.

a. ~~Such process shall~~The notice must include the enrollment deadline, the public charter school's total enrollment capacity for the next school year, and an advisory that all prospective students will be given the opportunity to enroll in the public charter school, regardless of race, color, national origin, ethnicity, religion, gender, socioeconomic status, or special needs;

b. ~~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. One (1) or more notices must be publicly disseminated within the primary attendance area by an independent third party. Notices include, but are not limited to, printed publications, technology and social media broadcasts, or signage displayed by community partners outside of the school's physical location.~~
(3-15-22)

~~**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.~~
(3-15-22)

04. Requests for Admission. A parent, guardian, or other person with legal authority to make decisions regarding school attendance on behalf of a child residing in this state, ~~may~~must make a request in writing in electronic or hard-copy format for such child to attend a public charter school.

a. The written request for admission shall contain the name and contact information of a legal guardian of the prospective student; the name of the student, the last grade level completed, and address of the prospective student if different from the legal guardian. Requests must indicate whether the prospective student is a sibling of a currently enrolled student. The request for admission may only request that information that is necessary for determining the student's eligibility for admittance as approved in the charter school performance certificate.

eb. 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 established 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.

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~~dc.~~ Where a weighted lottery has been approved through the charter school's performance certificate and in compliance with the admission preference requirements established in Section 33-5206, Idaho Code, the charter school may request such data as is necessary to apply the provisions of the weighted lottery. (3-15-22)

~~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.~~ (3-15-22)

~~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.~~ (3-15-22)

~~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:~~ (3-15-22)

~~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.~~ (3-15-22)

~~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.~~ (3-15-22)

~~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.~~ (3-15-22)

~~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.~~ (3-15-22)

~~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.~~ (3-15-22)

~~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~~

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~~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. (3-15-22)~~

~~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. (3-15-22)~~

085. 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. A waitlist of prospective students shall be compiled each year after the equitable selection process has been completed. The waitlist shall consist of students for whom no open seat is currently available and shall prioritize first, prospective students for whom a request for admission was received before the enrollment deadline in the order in which the students were selected during the equitable selection process, and second, prospective students for whom a written request for admission was received after the enrollment deadline in the order in which the request was received. (3-15-22)

096. Notification and Acceptance Process. (3-15-22)

~~a.~~ With respect to students selected for admission to the public charter school, within seven (7) days after conducting the equitable selection process, the public charter school shall send an offer letter to the parent, legal 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. (3-15-22)

ba. 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, legal 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. (3-15-22)

eb. If a parent, legal 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. (3-15-22)

dc. 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. (3-15-22)

107. Subsequent School Years. The final selection list for a given school year shall not roll over to the next subsequent school year. The legal guardian of a student who remains on the waitlist when the next enrollment deadline is noticed to the public must be notified that a new written request for admission must be completed prior to the new enrollment deadline in order for the student to be added to the prospective student list. 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 school for such school year. (3-15-22)

204. (RESERVED)

205. ~~REVIEW OF PETITIONS~~ NEW CHARTER SCHOOL PETITIONS.

01. Approval of a New Charter School Petition.

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a. If a petition is approved, then the authorized chartering entity and the petitioners must execute a performance certificate within seventy-five (75) days of the approval.

b. The authorized chartering entity shall provide the Board with written notice of approval of a new public charter school. The authorized chartering entity of the public charter school shall provide the Board with copies of the charter and any charter revisions upon request.

012. ~~If Denied, Petitioners May Appeal~~ Denial of a New Charter School Petition. (3-15-22)

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 explaining~~s 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. (3-15-22)

b. Only 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. (3-15-22)

206. -- 299. (RESERVED)

300. ~~PUBLIC CHARTER SCHOOL~~ HOLDER RESPONSIBILITIES.

01. **General.** The ~~governing board~~ charter holder 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. (3-15-22)

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. Intentional failure to operate a charter school within the terms and conditions of the executed performance certificate are grounds to initiate a review by the authorized chartering entity and may result in the addition of stipulations on the performance certificate or revocation of the charter. (3-15-22)

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. (3-15-22)

04. **Operational Issues.** The ~~governing board of the public charter school~~ charter holder 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~~ charter holder 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. (3-15-22)

05. **Articles of Incorporation and Bylaws.** The ~~governing board of the public charter school~~ charter holder shall be responsible for promptly notifying its authorized chartering entity of any revisions or amendments to the articles of incorporation or bylaws. (3-15-22)

06. Required Documentation. Public charter schools shall ensure that the following documentation is up to date and on file with the school's authorized chartering entity: a copy of the lease agreement for leased building(s)

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at which students will be taught; a copy of any notice from the school's accrediting body that the school has failed to meet or maintain full accreditation requirements; copies of any complaints filed against the school including, but not limited to, lawsuits and complaints filed with the Idaho professional standards commission relating to school employees; a current list of all 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; and any additional proof of compliance as reasonably requested by the authorizer.

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, including compliance with all applicable federal and state education standards and all applicable state and federal laws, regulations, and policies. (3-15-22)

02. Pre-opening Site Visit. Authorized chartering entity's may conduct site visits to the physical location of the public charter school to verify the facility meets all state, local, and federal requirements for operating a public school.

023. 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 or may nonrenew a charter following the initial ~~three-year~~ operating term. Should an authorized 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. (3-15-22)

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. (3-15-22)~~

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

04. Denial of Proposed Charter or Performance Certificate Revision. If the proposed charter or performance certificate 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- which~~ 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. (3-15-22)

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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.

(3-15-22)

01. Written Notice of Intention to Revoke Charter. The authorized chartering entity must provide the public charter school with reasonable written 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.

(3-15-22)

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.

(3-15-22)

a. Written notification of the hearing shall be sent to the public charter school at least ten (10) days in advance of the hearing.

(3-15-22)

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.

(3-15-22)

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 33-5209B(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.

(3-15-22)

304. -- ~~399~~400. (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:~~

~~(3-15-22)~~

~~**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.~~

~~(3-15-22)~~

~~**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.~~

~~(3-15-22)~~

~~**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.~~

~~(3-15-22)~~

~~**04. Revocation.** A decision of an authorized chartering entity to revoke a charter, as authorized by Section 33-5209C(7), Idaho Code.~~

~~(3-15-22)~~

401. APPEAL TO THE DEPARTMENT OF A DECISION RELATING TO THE FORMATION OF A NEW PUBLIC CHARTER SCHOOL OR CONVERSION OF A PUBLIC SCHOOL ~~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~~

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~~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 [pursuant to Section 33-5207\(1\), Idaho Code.](#) (3-15-22)

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 written 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: (3-15-22)

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. (3-15-22)

b. The complete petition that was submitted to the authorized chartering entity, including any amendments thereto or supplements thereof. (3-15-22)

c. Copies of audio or video recordings, if any, and the minutes from all meeting(s) where the petition was considered or discussed. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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

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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. (3-15-22)

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. (3-15-22)

08. Review of Recommendation by Authorized Chartering Entity. (3-15-22)

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. (3-15-22)

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. (3-15-22)

c. The authorized chartering entity shall make a final decision to affirm or reverse its initial decision within ten (10) days after the date the public hearing is conducted. (3-15-22)

09. Reversal of Initial Decision. (3-15-22)

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. (3-15-22)

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. (3-15-22)

10. Affirmation of Initial Decision. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)~~

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~~^{thirty} (21~~30~~) 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

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following documents:

(3-15-22)

a. The complete record submitted to the Department, as provided in Subsection 401.01.a. through 401.01.e. of these rules. (3-15-22)

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. (3-15-22)

c. A copy of the hearing officer's recommendation. (3-15-22)

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. (3-15-22)

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. (3-15-22)

f. The final written decision provided by the authorized chartering entity to the petitioners/appellants. (3-15-22)

g. [No new evidence is permitted on appeal to the Board.](#)

02. Public Hearing. A public hearing to review the final decision of the authorized chartering entity 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.~~ (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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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: (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

d. Deny the appeal submitted by the petitioners/appellants. (3-15-22)

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. (3-15-22)

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: (3-15-22)

a. The name, address, and telephone number of the appellant public charter school and the authorized chartering entity that issued the decision being appealed. (3-15-22)

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. (3-15-22)

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. (3-15-22)

d. The written decision provided by the authorized chartering entity to the appellant public charter school. (3-15-22)

e. [No new evidence will be considered on appeal to the Board.](#)

02. Public Hearing. A public hearing to review the decision of the authorized chartering entity shall be

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conducted within thirty (30) days after the date of the filing of the notice of appeal. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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. (3-15-22)

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: (3-15-22)

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. (3-15-22)

b. Deny the appeal filed by the appellants. (3-15-22)

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. (3-15-22)

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: (3-15-22)

a. Verification that the board of trustees is the authorized chartering entity of the public charter school it wishes to designate as an LEA. (3-15-22)

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. (3-15-22)

501. PROCEEDINGS BEFORE THE COMMISSION.

01. Communications with Commission. All written communications and documents intended to be part of an official record of decision in any proceeding before the Commission or any hearing officer appointed by the Commission must be filed with the individual designated by the Commission. 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.

501.2. -- 999. (RESERVED)

~~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. (3-15-22)~~

~~001. — SCOPE.~~

~~These rules provide the requirements for the governance and administration of the Public Charter School Commission. (3-15-22)~~

~~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. (3-15-22)~~

~~004. — 099. — (RESERVED)~~

~~100. — DEFINITIONS.~~

~~01. — Board. The Idaho State Board of Education or its designee. (3-15-22)~~

~~02. — Commission. The Public Charter School Commission or its designee. (3-15-22)~~

~~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. (3-15-22)~~

~~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 or 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. (3-15-22)~~

~~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. (3-15-22)~~

~~203. — MEETINGS — MAJORITY — CHAIRMAN.~~

~~01. — Majority. A simple majority of members voting shall be sufficient to decide any matter pending before the Commission. (3-15-22)~~

~~02. — Chairman Vote. The chairman shall vote only when necessary to break a tie. (3-15-22)~~

~~204. — 299. — (RESERVED)~~

~~300. — COMPLIANCE MONITORING.~~

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ATTACHMENT 1

~~The Commission shall be responsible for monitoring the public charter school's operations in accordance with all of 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: (3-15-22)~~

~~01. Certificate of Occupancy. Certificate of Occupancy for the public charter school site; (3-15-22)~~

~~02. Building Inspection Reports. A copy of the inspection report from the Idaho Division of Building Safety; (3-15-22)~~

~~03. Fire Marshal Report. A fire marshal report for the public charter school site; (3-15-22)~~

~~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; (3-15-22)~~

~~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; (3-15-22)~~

~~06. Instructional Staff Certification. Proof of certification for all instructional staff employed by the public charter school; and (3-15-22)~~

~~**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; (3-15-22)~~

~~02. Financial Statements. Audited financial statements from an independent auditor must be submitted as required by Section 33-701, Idaho Code; (3-15-22)~~

~~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; (3-15-22)~~

~~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; (3-15-22)~~

~~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; (3-15-22)~~

~~06. Proof of Compliance. Additional proof of compliance as reasonably requested by the Commission. (3-15-22)~~

~~**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.~~

~~(3-15-22)~~

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ATTACHMENT 1

| ~~401. 999. (RESERVED)~~