

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024**

TAB	DESCRIPTION	ACTION
1	PROPOSED AMENDMENTS TO BOARD BYLAWS – FIRST READING	Action Item
2	BOARD POLICY I.E - EXECUTIVE OFFICERS – FIRST READING	Action Item
3	BOARD POLICY VII.D - IDAHO QUALITY PROGRAM STANDARDS – FIRST READING	Action Item
4	BOARD POLICY VII.C - CAREER TECHNICAL EDUCATION CERTIFICATION – SECOND READING	Action Item
5	LEGISLATIVE PROPOSALS 2025 – SAFETY AND SECURITY ADVISORY BOARD	Action Item
6	LEGISLATIVE PROPOSALS 2025 – BROADBAND FUND DISTRIBUTION	Action Item
7	LEGISLATIVE PROPOSALS 2025 – BEHAVIORAL THREAT ASSESSMENT MANAGEMENT TEAMS	Action Item
8	TEMPORARY RULE – DOCKET NO. 08-0203-2403, RULES GOVERNING THOROUGHNESS	Action Item
9	PROPOSED RULE – DOCKET NO. 08-0203-2401, RULES GOVERNING THOROUGHNESS	Action Item
10	PROPOSED RULE – DOCKET NO. 47-0101-2401, RULES GOVERNING VOCATIONAL REHABILITATION SERVICES	Action Item

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11	PROPOSED RULE – DOCKET NO. 08-0202-2401, RULES GOVERNING UNIFORMITY	Action Item
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12	PROPOSED RULE – DOCKET NO. 08-0113-2401, RULES GOVERNING THE OPPORTUNITY SCHOLARSHIP	Action Item
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13	PROPOSED RULE – DOCKET NO. 08-0401-2401, RULES OF THE IDAHO DIGITAL LEARNING ACADEMY	Action Item
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14	EDUCATOR PREPARATION PROGRAMS PERFORMANCE MEASURES AND DEFINITION – LOW PERFORMING	Action Item
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SUBJECT

Proposed Amendments to Board 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 first reading of proposed amendments to Board Bylaws reflecting the responsibilities of standing committees of the Board.
April 2022	Board approved second reading of proposed amendments.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies and Procedures - Bylaws
Idaho Code Chapter 2, Title 74, Transparent and Ethical Government

BACKGROUND/DISCUSSION

HB21 (2024) amended Sections 33-102A and 33-104, Idaho Code. The amendment to 33-102A, Idaho Code provides that the governor is authorized to appoint the executive officer of the Board who shall serve at the pleasure of the governor and receive a salary fixed by the governor. The amendment to 33-104, Idaho Code provides that the president of the board shall be selected by the governor and that at the first Board meeting in April, the president shall select a vice president and secretary.

IMPACT

The proposed amendments to Board Policy - Bylaws realign the policy with the above statutory changes which went into effect July 1, 2024.

ATTACHMENTS

Attachment 1 – Proposed Amendments to Board Bylaws – Redline
Attachment 2 – Proposed Amendments to Board Bylaws – Clean Copy

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BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board Staff recommends approval of the first reading of the proposed amendments to Board Bylaws as submitted in Attachment 1.

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 _____

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: I. BYLAWS (Operational Procedures)

June-October 2024

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.

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GOVERNING POLICIES AND PROCEDURES

SECTION: I. BYLAWS (Operational Procedures)

June ~~October~~ 2024**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 of the Board is selected by the governor under Section 33-14004, Idaho Code. At the Board's first meeting in April, the president shall select a vice president and secretary who shall serve ~~The president, vice president, and secretary are elected at the organizational meeting~~ for one (1) year terms and hold office until their successors are sselected. Vacancies in these offices are filled by ~~election~~ president 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 governor ~~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,

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carries out the Board's policies between meetings.

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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. Pursuant to Section 33-102A, Idaho Code, the executive director, under the direction of the state board, shall have such duties and powers as prescribed by the Board. ~~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

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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 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

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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;
- 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

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GOVERNING POLICIES AND PROCEDURES**SECTION: I. BYLAWS (Operational Procedures)**June ~~October~~ 2024

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

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

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organizations under its governance (defined in Idaho State Board of Education, Policies and Procedures, Section I. A.1.) for: financial statement integrity, financial practices, internal control systems, financial management, and standards of conduct.

b. Composition

The Audit, 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 Committee member shall be free from any relationship that would interfere with the exercise of independent judgment. Committee members shall not be compensated for their service on the committee, and shall not have a financial interest in, or any other conflict of interest with, any entity doing business with the Board, or any institution or agency under the governance of the Board. 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 financial affairs and the ability to exercise independent judgment. Committee appointments will be made in such a way that collectively the Committee membership possesses sufficient knowledge of internal audit, external audit, accounting, finance, information technology, compliance, risk management, higher education, and governance concepts. At least one member of the committee shall have current accounting or related financial management expertise in the following areas:

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

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

c. Responsibilities and Procedures

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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 principal duties and responsibilities of the Committee:

- i. Recommend the appointment and compensation to the Board of the external auditors. Evaluate and oversee the work of the external auditors. The Committee must review any services prior to being provided by the external auditor. The external auditing firm shall report directly to the committee as well as the Board and the auditor's "engagement letter" shall be addressed to the Committee and the president of each institution. The Committee shall have the authority to engage the Board's legal counsel and other consultants 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 external auditors the audit scope, focusing on areas of concern or interest;
- iv. Review the financial statements, adequacy of internal controls and findings with the external auditors. The external auditor's "management letter" shall include management responses and be addressed to the Audit, Risk and Compliance Committee and president of the institution.
- v. Ensure the external auditor presents the financial statements to the Board and provides detail and summary reports as appropriate.
- 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.
- vii. Monitor the independence and performance of each organization's external auditor and internal auditing departments;
- viii. Provide general guidance for developing risk assessment models for all institutions.
- ix. Provide an avenue of communication among the external auditor, 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.
- xi. Oversee institutional compliance programs.

The Audit, Risk and Compliance Committee will meet at least four times per year. The committee may establish necessary procedures to carry out its responsibilities. Such procedures must be consistent with the Board's Governing Policies and Procedures. The Board's Chief Fiscal Officer, under

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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

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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 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. Conflict of Interest**1. Policy**

Members of the Board serve a public interest role and have a clear obligation to conduct all business of the Board in a manner consistent with that role. All decisions of the Board are to be made solely on the basis of a desire to promote the best interests of the public good.

2. Procedure

- a. A conflict of interest occurs when a member's private interests compete with his or her professional obligations to the Board to a degree that an independent observer might reasonably question whether the person's professional actions or decisions are materially affected by personal considerations, including but not limited to personal gain, financial or otherwise.
- b. In the event the Board must consider any transaction for an institution, school or agency that also involves (a) a member of the Board or (b) a member of his or her immediate family or close relative ("immediate family" means spouse, parent, child, stepchild or sibling), or a person residing in the member's household or a legal dependent of the member, or (c) an organization with which a member of the Board is affiliated, such Board member, at the first knowledge of such transaction, must publicly disclose such real or potential conflict to the Board.
- c. Disclosure is also required concerning all relationships and business affiliations that reasonably could give rise to a conflict of interest involving a matter before the Board. Affiliation is understood to exist if a Board member or a member of the Board member's immediate family, or a person residing in the member's household or a legal dependent of the member, is:
 - (1) An officer, director, trustee, partner, employee, or agent of such organization; or

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- (2) Either the actual or beneficial owner of more than five percent (5%) of the voting stock or controlling interest of such organization; or
 - (3) Has any other direct or indirect dealings with such organization from which he or she knowingly benefited (e.g., through receipt directly or indirectly of cash or other property in excess of one thousand dollars (\$1000) a year).
- d. Board members shall also comply with all applicable statutes and rules governing conflicts of interest including, but not limited to, the Bribery and Corrupt Influences Act, Idaho Code §18-1351 et. seq. and the Ethics in Government Act of 1990, Idaho Code §74-401 et. seq.

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SECTION: I. BYLAWS (Operational Procedures)

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A. Office of the State Board of Education

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B. Meetings

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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.

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 - b. An executive secretary, who is the state superintendent of public instruction.
2. The president of the Board is selected by the governor under Section 33-104, Idaho Code. At the Board's first meeting in April, the president shall select a vice president and secretary who shall serve for one (1) year terms and hold office until their successors are selected. Vacancies in these offices are filled by president 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 governor. 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
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 - 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.

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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. Pursuant to Section 33-102A, Idaho Code, the executive director, under the direction of the state board, shall have such duties and powers as prescribed by 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 procedural guidelines for Board committees appear in the Board Governing Policies and Procedures.

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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;
- ii. Initial discussions and direction on strategic policy initiatives and goals;

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- 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.

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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

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Financial Vice Presidents council, which shall be composed of the Board’s Chief Fiscal Officer and the chief financial officers of the institutions and agencies. The chairperson presents all committee 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 Committee member shall be free from any relationship that would interfere with the exercise of independent judgment. Committee members shall not be compensated for their service on the committee, and shall not have a financial interest in, or any other conflict of interest with, any entity doing business with the Board, or any institution or agency under the governance of the Board. 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 financial affairs and the ability to exercise independent judgment. Committee appointments will be made in such a way that collectively the Committee membership possesses sufficient knowledge of internal audit, external audit, accounting, finance, information technology, compliance, risk management, higher education, and governance concepts. At least one member of the committee shall have current accounting or related financial management expertise in the following areas:

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

Members may be reappointed. The Audit, 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

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accounting principles and reporting policies used. The following shall be the principal duties and responsibilities of the Committee:

- i. Recommend the appointment and compensation to the Board of the external auditors. Evaluate and oversee the work of the external auditors. The Committee must review any services prior to being provided by the external auditor. The external auditing firm shall report directly to the committee as well as the Board and the auditor's "engagement letter" shall be addressed to the Committee and the president of each institution. The Committee shall have the authority to engage the Board's legal counsel and other consultants 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 external auditors the audit scope, focusing on areas of concern or interest;
- iv. Review the financial statements, adequacy of internal controls and findings with the external auditors. The external auditor's "management letter" shall include management responses and be addressed to the Audit, Risk and Compliance Committee and president of the institution.
- v. Ensure the external auditor presents the financial statements to the Board and provides detail and summary reports as appropriate.
- 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.
- vii. Monitor the independence and performance of each organization's external auditor and internal auditing departments;
- viii. Provide general guidance for developing risk assessment models for all institutions.
- ix. Provide an avenue of communication among the external auditor, 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.
- xi. Oversee institutional compliance programs.

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

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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.

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2. The Board member who is the chair of the permanent standing 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. Conflict of Interest

1. Policy

Members of the Board serve a public interest role and have a clear obligation to conduct all business of the Board in a manner consistent with that role. All decisions of the Board are to be made solely on the basis of a desire to promote the best interests of the public good.

2. Procedure

- a. A conflict of interest occurs when a member's private interests compete with his or her professional obligations to the Board to a degree that an independent observer might reasonably question whether the person's professional actions or decisions are materially affected by personal considerations, including but not limited to personal gain, financial or otherwise.
- b. In the event the Board must consider any transaction for an institution, school or agency that also involves (a) a member of the Board or (b) a member of his or her immediate family or close relative ("immediate family" means spouse, parent, child, stepchild or sibling), or a person residing in the member's household or a legal dependent of the member, or (c) an organization with which a member of the Board is affiliated, such Board member, at the first knowledge of such transaction, must publicly disclose such real or potential conflict to the Board.
- c. Disclosure is also required concerning all relationships and business affiliations that reasonably could give rise to a conflict of interest involving a matter before the Board. Affiliation is understood to exist if a Board member or a member of the Board member's immediate family, or a person residing in the member's household or a legal dependent of the member, is:
 - (1) An officer, director, trustee, partner, employee, or agent of such organization; or
 - (2) Either the actual or beneficial owner of more than five percent (5%) of the voting stock or controlling interest of such organization; or

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- (3) Has any other direct or indirect dealings with such organization from which he or she knowingly benefited (e.g., through receipt directly or indirectly of cash or other property in excess of one thousand dollars (\$1000) a year).

- d. Board members shall also comply with all applicable statutes and rules governing conflicts of interest including, but not limited to, the Bribery and Corrupt Influences Act, Idaho Code §18-1351 et. seq. and the Ethics in Government Act of 1990, Idaho Code §74-401 et. seq.

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024**

SUBJECT

Board Policy I.E. Executive Officers – First Reading

REFERENCE

August 2016	Board approved first reading of Board Policy I.E. Executive Officers – vehicle allowance
October 2016	Board approved second reading of Board Policy I.E.
April 2018	Board approved the first reading of proposed amendments to Board policies: I.E., V.I. and V.U. removing provisions regarding housing, automobile allowances and reimbursement of entertainment expenses.
June 2018	Board approved second reading of Board policies I.E., V.I., and V.U.
August 2021	Board approved the first reading of amendments to Board Policy I.E. delegating to the Board’s chief executive officers the ability to take actions on campus to prevent the spread of contagious or infectious disease
October 2021	Board approved the second reading of Board Policy I.E.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Sections I.E. Sections 33-107, Idaho Code

BACKGROUND/DISCUSSION

HB521 (2024) amended Sections 33-102A and 33-104, Idaho Code. The amendment to 33-102A, Idaho Code provides that the governor is authorized to appoint the executive officer of the Board who shall serve at the pleasure of the governor and receive a salary fixed by the governor. The amendment to 33-104, Idaho Code provides that the president of the board shall be selected by the governor and that at the first Board meeting in April, the president shall select a vice president and secretary.

IMPACT

The proposed amendments to Board Policy I.E. realign the policy with the above statutory changes which went into effect July 1, 2024.

ATTACHMENTS

Attachment 1 – Proposed Amendments to Board Policy I.E. Executive Officers – Redline
Attachment 2 – Proposed Amendments to Board Policy I.E. Executive Officers – Clean Copy

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024**

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board Staff recommends approval of the first reading of the proposed amendments to Board Policy I.E. Executive Officers as submitted in Attachment 1.

BOARD ACTION

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

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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1. Executive Director

- a. The Executive Director is appointed by and serves in this position at the pleasure of the ~~Board~~Governor, with the advice and consent of the senate. The Executive Director serves as the chief executive officer of the State Board of Education. Pursuant to ~~Idaho Code Section~~ 33-102A(2), Idaho Code, the Executive Director shall be under the direction of the Board and shall have such duties and powers as are prescribed by the Board. The Executive Director is charged with ensuring the effective articulation and coordination of institution, and agency concerns and is advisor to the Board and the Presidents/Agency Heads on all appropriate matters.

2. Presidents/Agency Heads

a. Responsibilities

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

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

- b. The ~~Chief~~chief eExecutive ~~o~~fficer is held accountable to the Board for performing the following duties within his or her designated areas of responsibility:

i. Relations with the Board

- 1) Conduct of the institution or agency in accordance with the Governing Policies and Procedures of the Board and applicable state and federal laws.
- 2) Effective communication among the Board, the Board office, and the institution or agency.
- 3) Preparation of such budgets as may be necessary for proper reporting and planning.
- 4) Transmittal to the Board of recommendations initiated within the institution or agency.

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- 5) Participation and cooperation with the office of the Board in the development, coordination, and implementation of policies, programs, and all other matters of state-wide concern.
- 6) Notification to Board President or Executive Director of any absence exceeding one week during which time the chief executive officer will be unavailable or out-of-country.

ii. Leadership of the Institution or Agency

- 1) Recruitment and retention of employees
- 2) Development of programs, in accordance with an evolving plan for the institution or agency.
- 3) In cooperation with appropriate parties, the promotion of the effective and efficient functioning of the institution or agency.
- 4) Development of methods that will encourage responsible and effective contributions by various parties associated with the institution or agency in the achievement of the goals of the institution or agency.

iii. Relations with the Public

- 1) Development of rapport between the institution or agency and the public that each serves.
- 2) Official representation of the institution or agency and its Board-approved role and mission to the public.

c. Appointment Terms and Conditions

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

d. Evaluations

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

e. Compensation and Benefits

- i. Each chief executive officer's annual compensation shall be set and approved by the Board. The Governor shall set the salary of the Executive Director. A chief executive officer shall not receive supplemental salary compensation related to his or her service as chief executive officer from an affiliated institutional foundation, or from any other source. A chief executive officer must disclose to the Board, through its Executive Director or in executive session as appropriate (with updates as necessary), any activities and financial interests, including compensation from an outside source unrelated to his or her service as chief executive officer, that affects or could potentially affect the chief executive officer's judgment or commitment to the Board or the institution.
- ii. In addition to the compensation referred to above, each chief executive officer shall receive the usual and ordinary medical, retirement, leave, educational, and other benefits available to all institutional, and agency employees.
- iii. Each chief executive officer shall receive reasonable and adequate liability insurance coverage under the state's risk management program.
- iv. Relocation and moving expenses incurred by each chief executive officer will be paid in accordance with the policies and rates established by the State Board of Examiners.
- v. Each chief executive officer earns annual leave at a rate of two (2) days per month or major fraction thereof of credited state service.

f. Termination

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

3. Institutional Presidents: Official Duties Related Spousal Expenses

The Board acknowledges that the spouse of an institutional president provides valuable service activities on behalf of the institution, the Board, and to the Idaho higher education system. The Board further recognizes that the spouse may be expected to attend certain functions related to the ongoing mission and purposes of

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the institution. Accordingly, a spouse shall be eligible for reimbursement of authorized official travel and business related expenses, in accordance with the State of Idaho's travel and expense policies, as long as such expenses have a bona fide business purpose. To be a bona fide business purpose the presence and activities of the spouse at the function must be significant and essential (not just beneficial) to the institution. A president's spouse attending official functions as part of protocol or tradition and where the spouse makes an important contribution to the function can be considered serving a business purpose. For example, ceremonial functions, fundraising events, alumni gatherings, community, and recruiting events are examples of activities at which the presence of a spouse may contribute to the mission of the University. If a spouse has no significant role, or performs only incidental duties of a purely social or clerical nature, then such does not constitute a bona fide business purpose. Spousal expenses may not be charged to state funds; various non-state funds controlled by the institution may be used to fund spousal expenses.

4. President Emeritus/Emerita Designation

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

a. Appointment Procedure

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

b. Rights, Privileges and Responsibilities

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

- i. staff privileges for activities, events and campus facilities;
- ii. receipt of institutional newspaper and other major institutional publications and receipt of employee/spouse fee privilege (see Section V. R.).

5. Procedures to Prevent the Spread of Infectious Disease.

Pursuant to section 33-3730, Idaho Code, the ~~e~~Executive ~~e~~Director is delegated authority to, upon request from an institution in situations requiring immediate action, close an institution or any of its buildings or campuses if needed to prevent

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the spread of contagious or infectious disease. Also pursuant to section 33-3730, Idaho Code, the ~~P~~president of each institution is delegated the authority to implement measures required to prevent the spread of contagious or infectious disease, including limiting programs or activities. Any such action taken shall be considered by the Board at its next meeting.

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1. Executive Director

- a. The Executive Director is appointed by and serves in this position at the pleasure of the Governor, with the advice and consent of the senate. The Executive Director serves as the chief executive officer of the State Board of Education. Pursuant to Section 33-102A(2), Idaho Code, the Executive Director shall be under the direction of the Board and shall have such duties and powers as are prescribed by the Board. The Executive Director is charged with ensuring the effective articulation and coordination of institution, and agency concerns and is advisor to the Board and the Presidents/Agency Heads on all appropriate matters.

2. Presidents/Agency Heads

a. Responsibilities

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

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

- b. The chief executive officer is held accountable to the Board for performing the following duties within his or her designated areas of responsibility:

i. Relations with the Board

- 1) Conduct of the institution or agency in accordance with the Governing Policies and Procedures of the Board and applicable state and federal laws.
- 2) Effective communication among the Board, the Board office, and the institution or agency.
- 3) Preparation of such budgets as may be necessary for proper reporting and planning.
- 4) Transmittal to the Board of recommendations initiated within the institution or agency.

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- 5) Participation and cooperation with the office of the Board in the development, coordination, and implementation of policies, programs, and all other matters of state-wide concern.
- 6) Notification to Board President or Executive Director of any absence exceeding one week during which time the chief executive officer will be unavailable or out-of-country.

ii. Leadership of the Institution or Agency

- 1) Recruitment and retention of employees
- 2) Development of programs, in accordance with an evolving plan for the institution or agency.
- 3) In cooperation with appropriate parties, the promotion of the effective and efficient functioning of the institution or agency.
- 4) Development of methods that will encourage responsible and effective contributions by various parties associated with the institution or agency in the achievement of the goals of the institution or agency.

iii. Relations with the Public

- 1) Development of rapport between the institution or agency and the public that each serves.
- 2) Official representation of the institution or agency and its Board-approved role and mission to the public.

c. Appointment Terms and Conditions

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

d. Evaluations

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

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

e. Compensation and Benefits

- i. Each chief executive officer’s annual compensation shall be set and approved by the Board. The Governor shall set the salary of the Executive Director. A chief executive officer shall not receive supplemental salary compensation related to his or her service as chief executive officer from an affiliated institutional foundation, or from any other source. A chief executive officer must disclose to the Board, through its Executive Director or in executive session as appropriate (with updates as necessary), any activities and financial interests, including compensation from an outside source unrelated to his or her service as chief executive officer, that affects or could potentially affect the chief executive officer’s judgment or commitment to the Board or the institution.
- ii. In addition to the compensation referred to above, each chief executive officer shall receive the usual and ordinary medical, retirement, leave, educational, and other benefits available to all institutional, and agency employees.
- iii. Each chief executive officer shall receive reasonable and adequate liability insurance coverage under the state's risk management program.
- iv. Relocation and moving expenses incurred by each chief executive officer will be paid in accordance with the policies and rates established by the State Board of Examiners.
- v. Each chief executive officer earns annual leave at a rate of two (2) days per month or major fraction thereof of credited state service.

f. Termination

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

3. Institutional Presidents: Official Duties Related Spousal Expenses

The Board acknowledges that the spouse of an institutional president provides valuable service activities on behalf of the institution, the Board, and to the Idaho higher education system. The Board further recognizes that the spouse may be expected to attend certain functions related to the ongoing mission and purposes of the institution. Accordingly, a spouse shall be eligible for reimbursement of authorized official travel and business related expenses, in accordance with the State of Idaho's

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travel and expense policies, as long as such expenses have a bona fide business purpose. To be a bona fide business purpose the presence and activities of the spouse at the function must be significant and essential (not just beneficial) to the institution. A president's spouse attending official functions as part of protocol or tradition and where the spouse makes an important contribution to the function can be considered serving a business purpose. For example, ceremonial functions, fundraising events, alumni gatherings, community, and recruiting events are examples of activities at which the presence of a spouse may contribute to the mission of the University. If a spouse has no significant role, or performs only incidental duties of a purely social or clerical nature, then such does not constitute a bona fide business purpose. Spousal expenses may not be charged to state funds; various non-state funds controlled by the institution may be used to fund spousal expenses.

4. President Emeritus/Emerita Designation

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

a. Appointment Procedure

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

b. Rights, Privileges and Responsibilities

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

- i. staff privileges for activities, events and campus facilities;
- ii. receipt of institutional newspaper and other major institutional publications and receipt of employee/spouse fee privilege (see Section V. R.).

5. Procedures to Prevent the Spread of Infectious Disease.

Pursuant to section 33-3730, Idaho Code, the Executive Director is delegated authority to, upon request from an institution in situations requiring immediate action, close an institution or any of its buildings or campuses if needed to prevent the spread of contagious or infectious disease. Also pursuant to section 33-3730, Idaho Code, the President of each institution is delegated the authority to

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implement measures required to prevent the spread of contagious or infectious disease, including limiting programs or activities. Any such action taken shall be considered by the Board at its next meeting.

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IDAHO DIVISION OF CAREER TECHNICAL EDUCATION

SUBJECT

Board Policy VII.D. First Reading and Idaho Quality Program Standards

REFERENCE

August 14, 2014	Board, acting as the State Board for Career Technical Education, approved Proposed Rule Docket 55-0104-1401, first reading of Board Policy IV.E.2. and the Idaho Quality Program Standards.
November 2014	Board approved Pending Rule Docket 55-0104-1401.
June 2023	Board approved first reading of Board Policy VII.D. moving the Division's section of Board policy from subsection IV.E. to its own section, Section VII.
August 2023	Board approved second reading of Board Policy VII.D.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Policies and Procedures, Section VII.D.
Section 33-1629, Idaho Code
Idaho Administrative Code, IDAPA 55.01.04

BACKGROUND/DISCUSSION

The Idaho Legislature enacted Section 33-1629, Idaho Code, Agricultural and Natural Resource Education Programs during the 2014 Legislative session. The purpose of this section was to establish (1) Idaho Quality Program Standards Incentive Grants, and (2) Agricultural Education Program Start-Up Grants and requires the State Board for Career Technical Education to adopt rules to implement the Idaho Quality Program Standards Incentive Grants and Agricultural Education Program Start-Up Grants. The Board adopted the required rules through the 2014-2015 negotiated rulemaking process and approved the grant program standards at the August 14, 2014 regular Board meeting.

The current Idaho Quality Program standards, incorporated by reference into Board policy VII.D. have not been updated since the original August 2014 approval. During summer and fall 2023, Division staff held a number of meetings with agriculture education stakeholders across the state who have received, applied for, or are eligible to apply for one or both of the two grant programs with the intent of verifying continued relevance and updating where appropriate the current standards, including clarifying and streamlining the review process for eligible applicants.

IMPACT

Approval of the standards and the first reading of the policy is the first step of two steps to update the standards. Once the policy is amended with the approval date

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of the updated standards that standards will be able to be used in awarding these grants.

ATTACHMENTS

Attachment 1 – Proposed Amendments to the Idaho Quality Program Standards - Redline

Attachment 2 – Proposed Amendments to the Idaho Quality Program Standards – Clean Copy

Attachment 3 – Proposed Amendments to Board Policy VII.D. – Redline

Attachment 4 – Proposed Amendments to Board Policy VII.D. – Clean Copy

BOARD STAFF COMMENTS AND RECOMMENDATIONS

This agenda item was brought forth in April of 2024 and again in June of 2024. On both occasions, the agenda items was removed from the agenda prior to consideration as Division and Board staff were not in agreement and Board staff did not recommend approval of the ask at that time.

The original ask included both the proposed amendment to IQPS standards as presented in Attachment 1 and amendments to Board Policy VII.D. that reflected the anticipated date of board approval for the amended IQPS standards (as a document incorporated into the policy by reference), and a separate delegation of the Board’s decision-making authority to the Division administrator. Proposed policy amendments are reflected in Attachment 3. The original ask was submitted for the April 2024 and the June 2024 meetings.

The original ask was submitted again for the August 2024 meeting; however, after discussion with the Division and Board’s legal counsel, the Division agreed to modify the request. The current request considers the proposed amendments to the IQPS standards and proposed amendments to Board Policy VII.D. that reflect the anticipated date of Board approval for the amended IQPS standards.

During the PPGA committee meeting held on 8/2/2024, Board Member Keogh indicated concern about the IQPS standards not including sufficient reference to natural resources and Board staff reiterated the concern about the proposed single read approval of the amendments to the standards. After some discussion it was determined that the request would be further modified to reflect that the IQPS standards to ensure a two-reading process for both the proposed amendments to the standards and the policy.

Board staff recommends approval of a first reading of the proposed amendments to the IQPS standards as presented in Attachment 1 and the first reading of the proposed amendments to Board Policy VII.D. as presented in Attachment 3.

BOARD ACTION

I move to approve the first reading of the proposed amendments to the Idaho Quality Program Standards at provided in Attachment 1.

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Moved by _____ Seconded by _____ Carried Yes _____ No _____

AND

I move to approve the first reading of proposed amendments to Board Policy VII.D.
as provided in Attachment 3.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

INTRODUCTION

Idaho Quality Program Standards (IQPS)

Standards and Quality Indicators

This document was prepared and reviewed by representatives of: Idaho Team Ag Ed; Idaho Division of Career Technical Education; Idaho Agriculture Teachers Association; Department of Agricultural Education and 4-H Youth Development, University of Idaho.

Introduction

The Idaho Agricultural Education Quality Program Standards are a result of a need to provide a consistent delivery of high-quality agricultural education programs across the state of Idaho focused on relevant instruction, rigorous clear goals, continuous program improvement and the development of essential skills for student success. Input from local and state leaders was sought and obtained regarding the qualities of highly successful agricultural education programs.

The Idaho Agricultural Education Quality Program Standards are designed to be used by the local instructor(s), administration, community partners ~~and/or~~ stakeholders, technical advisory council/committee, FFA Alumni and/or an external assessment team to conduct an evaluation of the local agricultural education program and develop clear goals and objectives for program improvement. The local self-assessment or evaluation will serve as the basis for further review by the ~~State~~Idaho Division of Career Technical Education in determining ~~how well an~~ the quality of the agricultural education program ~~meets in~~ reference to the Idaho Agricultural Education Quality Program Standards.

During the 2014 sixty-second Legislative regular session, Senate Bill 1275 was passed to amend Chapter 26, Title 33 of the Idaho Code to establish provisions relating to the Idaho Quality Standards Incentive Grants and direct the State Board of Career Technical Education to adopt and implement the Idaho Agriculture Education Quality Program Standards.

The Idaho Agriculture Education Quality Program Standards comprise seven main areas dealing with the school based agricultural education program and the agricultural education instructor. Standards 1 – 6, address the agricultural education program and standard 7 addresses the agricultural education instructor. Each standard and standard statement is followed by a series of quality indicators which further define ~~or assess~~ the standard or standard statement.

Local Program Success materials found in the National ~~FFA Local~~Council for Agricultural Education's National Program ~~Resource Guide~~Quality Standards rubric may provide additional tools, resources and information to help agricultural education programs meet the standards and standard statements in this document.

Standard 1: ~~Program Planning, Design & Curriculum~~

Standard Statement:

A standards-based curriculum in Agriculture, Food &and Natural Resources Systems is delivered through an integrated model that incorporates classroom and laboratory instruction, experiential learning and student leadership &and personal development.

Quality Indicators:

1. The agricultural education curriculum includes: ~~1.) approved Ag/NR courses; 2.) course names &and descriptions; 3.) course objectives/-competencies; 4.) course sequences, 5.) course prerequisites, 6.) and staffing assignments for all courses.~~
2. The Program(s) of Study (POS is the course sequence) offered by the AFNR program is cross-walked/aligned to the Idaho State Department of Education (SDE) academic content standards and references the Idaho Core Standards.
 - ~~1. Experiential learning (SAE) is integrated throughout the instructional program.~~
 - ~~2. Student leadership & personal development (FFA) is integrated throughout the instructional program.~~
 - ~~3. The agricultural education program consults with an advisory board, recognized by the local board of education, with current constitution and bylaws on program planning, design and curriculum.~~
3. The agricultural education program provides students with “value added” components to enhance their ability to be either college or career ready.
4. Instructional activities throughout the year are balanced between classroom and laboratory instruction, experiential learning (SAE), and leadership and personal development (FFA).

Standard 2: ~~Instruction & Assessment~~

Standard Statement:

Programs promote ~~academic~~ achievement and skill development of all students through year-round instruction using multiple methods to assess student learning that illustrates academic achievement and skill development.

Quality Indicators:

~~1. Instructional activities throughout the year are balanced between classroom & laboratory instruction, experiential learning (SAE), and leadership & personal development (FFA).~~

1. Course instructional outlines are documented and based upon an approved Program of Study (POS).
2. Instruction reinforces written objectives and appropriate assessments aligned to relevant and rigorous academic content and Idaho Core standards.
- ~~2.3.~~ The instructor uses multiple instructional strategies for varied student learning styles and incorporates real-life experiences to facilitate learning.
- ~~3.4.~~ The instructional program uses a variety of current instructional materials, ~~equipment,~~ techniques, ~~technology~~ and community-based resources.support.

Standard 3: ~~Facilities & Equipment~~

Standard Statement:

The facilities and equipment support implementation of the agricultural education program and curriculum by providing all students opportunities for the development and application of knowledge and skills. (Facilities are defined as classroom, agricultural education science laboratory, computer laboratory, wood and metal shop, greenhouse, head house, land laboratory, livestock facilities, storage areas and office).

Quality Indicators:

1. Facility size, layout, storage and labs provide for effective delivery of the courses offered and student enrollment.
2. Facility is clean, organized, and maintained to provide an environment conducive to learning.
3. Facility meets existing local, state, and/or federal health standards including air, temperature, water, acoustics, ventilation, light and particulate control.

~~1. Idaho Building Safety Inspection (IBSI) has been conducted on the facility, equipment and tools with all defective items removed, repaired, or replaced.~~

~~4.~~ Current equipment is ~~available and maintained~~ industry relevant and adequate for student instruction.

~~4.5.~~ Adequate consumable supplies are provided annually to deliver instruction.

~~5.6.~~ Current technology is available, maintained, and updated to offer high quality instruction and support experiential learning (SAE) and student leadership development: (FFA).

Standard 4: ~~Experiential Learning~~

Standard Statement:

Education is enhanced through active participation by all students in a year-round experiential learning program (SAE) that is planned, developed and managed by the student with instruction and support by the ~~agriculture~~ agricultural instructor.

Quality Indicators:

1. All students have experiential learning (SAE) programs based on career pathways/clusters/-interests and agricultural education curriculum standards.

2. Continuous instruction and supervision of student experiential learning (SAE) programs are provided by the ~~agriculture~~ agricultural education instructor throughout the calendar year.

~~3.~~ Students have a comprehensive experiential learning program that shows evidence of improvement.

~~3.4.~~ Students have comprehensive experiential learning programs ~~that show evidence of~~ (SAE) ~~and keep accurate record of~~ continuous improvement.

~~1. The agricultural education program consults with an advisory board, recognized by the local board of education, with current constitution and bylaws on experiential learning.~~

Standard 5: ~~Leadership Development~~

Standard Statement:

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All students participate in year-round intra-curricular agricultural education student organization (FFA) programs and activities.

Quality Indicators:

1. The FFA chapter annually plans and implements a Program of Activities (POA) and reviews and approves Chapter ~~constitution—and/or bylaws.~~Constitution/Bylaws.
2. The agricultural education program students participate in FFA programs and activities ~~and have a progressive plan for leadership and personal development.~~listed in the Program of Activities.
3. The FFA chapter conducts and/or participates in local activities and events.
4. The FFA chapter conducts or participates in district, state and national activities.
5. Students who are FFA members show evidence of continuous improvement by achieving advanced degrees based on ~~the~~their SAE program and FFA participation.

~~1. The agricultural education program consults with an agricultural education advisory board, recognized by the local board of education, with current constitution and bylaws on leadership development.~~

Standard 6: Partnerships & Marketing

Standard Statement:

Key stakeholders are continually engaged, consulted and invested in the agricultural education program.

Quality Indicators:

1. The School agriculture education program consults with an educational advisory board, recognized by the local board of education, to plan and community partners (direct the program's curriculum, supervised agriculture experiences (SAE), and leadership development (FFA).
2. Technical Advisory Committee is comprised of School Board, Administration, agriculture advisory board, Alumni, parents, media, local decision makers, and agricultural industry leaders and community) are familiar with the agricultural education model (classroom, SAE and FFA), are involved in shaping from the community and strengthening the program its impact area.

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ATTACHMENT 1

- ~~4.3.~~ Stakeholder groups (Technical Advisory Committee or Alumni and promoting program accomplishments Supporters Group) collaborate often in order to maintain consistent support of the agriculture education program and promote its success.
- ~~2.4.~~ Agricultural education program stakeholders and supporters (e.g. Technical Advisory Committee and/or Alumni and Supporters group) are recognized for their support of the agricultural education program.
- ~~3.5.~~ Community volunteers (FFA Alumni and Supporters group or others) are organized and involved in supporting the agricultural education program.
- ~~4.6.~~ The agricultural education program provides relevant data/information to key stakeholders and other entities.
- ~~5.7.~~ A recruitment and retention plan is annually ~~developed and~~ implemented for prospective and current students.
- ~~6.8.~~ Follow-up data is collected and maintained on all agriculture program graduates.

Standard 7: ~~Certified Agricultural Education Instructor and Professional Growth~~

Standard Statement:

Competent and certified agricultural education instructor provides the core of the program.

Quality Indicators:

1. The agricultural education instructor has current Idaho certification to teach agriculture and has advanced training to enhance instruction in the agricultural education program.
2. The agricultural education instructor provides student instruction and supervision throughout the year in classroom ~~&and~~ laboratory, experiential learning (SAE) and leadership ~~&and~~ personal development (FFA).
3. The agricultural education instructor demonstrates effectiveness in quality teaching that promotes student growth.
4. The agricultural education instructor practices classroom management that maximizes time-on-task and minimizes disruptive behaviors.

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5. The agricultural education instructor demonstrates effectiveness involving experiential learning (SAE) activities that promotes student growth.
6. The agricultural education instructor demonstrates effectiveness involving leadership and personal development (FFA) activities that promotes student growth.
7. The agricultural education instructor demonstrates professional growth through activities to promote knowledge of content, instructional strategies, industry practices, and instructor leadership roles.
8. The agricultural education instructor is an active member in local, state and national professional education associations.

Idaho Quality Program Standards (IQPS)

Standards and Quality Indicators

This document was prepared and reviewed by representatives of: Idaho Team Ag Ed; Idaho Division of Career Technical Education; Idaho Agriculture Teachers Association; Department of Agricultural Education and 4-H Youth Development, University of Idaho.

Introduction

The Idaho Agricultural Education Quality Program Standards are a result of a need to provide a consistent delivery of high-quality agricultural education programs across the state of Idaho focused on relevant instruction, rigorous clear goals, continuous program improvement and the development of essential skills for student success. Input from local and state leaders was sought and obtained regarding the qualities of highly successful agricultural education programs.

The Idaho Agricultural Education Quality Program Standards are designed to be used by the local instructor(s), administration, community partners, stakeholders, technical advisory committee, FFA Alumni and/or an external assessment team to conduct an evaluation of the local agricultural education program and develop clear goals and objectives for program improvement. The local self-assessment or evaluation will serve as the basis for further review by the Idaho Division of Career Technical Education in determining the quality of the agricultural education program in reference to the Idaho Agricultural Education Quality Program Standards.

During the 2014 sixty-second Legislative regular session, Senate Bill 1275 was passed to amend Chapter 26, Title 33 of the Idaho Code to establish provisions relating to the Idaho Quality Standards Incentive Grants and direct the State Board of Career Technical Education to adopt and implement the Idaho Agriculture Education Quality Program Standards.

The Idaho Agriculture Education Quality Program Standards comprise seven main areas dealing with the school based agricultural education program and the agricultural education instructor. Standards 1 – 6, address the agricultural education program and standard 7 addresses the agricultural education instructor. Each standard and standard statement is followed by a series of quality indicators which further define the standard or standard statement.

Local Program Success materials found in the National Council for Agricultural Education's National Program Quality Standards rubric may provide additional tools, resources and information to help agricultural education programs meet the standards and standard statements in this document.

Standard 1:

A standards-based curriculum in Agriculture, Food and Natural Resources Systems is delivered through an integrated model that incorporates classroom and laboratory instruction, experiential learning and student leadership and personal development.

Quality Indicators:

1. The agricultural education curriculum includes course names and descriptions, course objectives/competencies, course sequences, course prerequisites, and staffing assignments for all courses.
2. The Program(s) of Study (POS is the course sequence) offered by the AFNR program is cross-walked/aligned to the Idaho State Department of Education (SDE) academic content standards and references the Idaho Core Standards.
3. The agricultural education program provides students with “value added” components to enhance their ability to be either college or career ready.
4. Instructional activities throughout the year are balanced between classroom and laboratory instruction, experiential learning (SAE), and leadership and personal development (FFA).

Standard 2:

Programs promote achievement and skill development of all students through year-round instruction using multiple methods to assess student learning that illustrates academic achievement and skill development.

Quality Indicators:

1. Course instructional outlines are documented and based upon an approved Program of Study (POS).
2. Instruction reinforces written objectives and appropriate assessments aligned to relevant and rigorous academic content and Idaho Core standards.
3. The instructor uses multiple instructional strategies for varied student learning styles and incorporates real-life experiences to facilitate learning.
4. The instructional program uses a variety of current instructional materials, techniques, and community-based support.

Standard 3:

The facilities and equipment support implementation of the agricultural education program and curriculum by providing all students opportunities for the development and application of knowledge and skills. (Facilities are defined as classroom, agricultural education science laboratory, computer laboratory, wood and metal shop, greenhouse, head house, land laboratory, livestock facilities, storage areas and office).

Quality Indicators:

1. Facility size, layout, storage and labs provide for effective delivery of the courses offered and student enrollment.
2. Facility is clean, organized, and maintained to provide an environment conducive to learning.
3. Facility meets existing local, state, and/or federal health standards including air, temperature, water, acoustics, ventilation, light and particulate control.
4. Current equipment is industry relevant and adequate for student instruction.
5. Adequate consumable supplies are provided annually to deliver instruction.
6. Current technology is available, maintained, and updated to offer high quality instruction and support experiential learning (SAE) and student leadership development (FFA).

Standard 4:

Education is enhanced through active participation by all students in a year-round experiential learning program (SAE) that is planned, developed and managed by the student with instruction and support by the agricultural instructor.

Quality Indicators:

1. All students have experiential learning (SAE) programs based on career pathways/clusters/interests and agricultural education curriculum standards.
2. Continuous instruction and supervision of student experiential learning (SAE) programs are provided by the agricultural education instructor throughout the calendar year.
3. Students have a comprehensive experiential learning program that shows evidence of improvement.
4. Students have comprehensive experiential learning programs (SAE) and keep accurate record of continuous improvement.

Standard 5:

All students participate in year-round intra-curricular agricultural education student organization (FFA) programs and activities.

Quality Indicators:

1. The FFA chapter annually plans and implements a Program of Activities (POA) and reviews and approves Chapter Constitution/Bylaws.
2. The agricultural education program students participate in FFA programs and activities listed in the Program of Activities.
3. The FFA chapter conducts and/or participates in local activities and events.
4. The FFA chapter conducts or participates in district, state and national activities.
5. Students who are FFA members show evidence of continuous improvement by achieving advanced degrees based on their SAE program and FFA participation.

Standard 6:

Key stakeholders are continually engaged, consulted and invested in the agricultural education program.

Quality Indicators:

1. The agriculture education program consults with an educational advisory board, recognized by the local board of education, to plan and direct the program's curriculum, supervised agriculture experiences (SAE), and leadership development (FFA).
2. Technical Advisory Committee is comprised of School Board, Administration, Alumni, parents, local decision makers, and agricultural industry leaders from the community and its impact area.
3. Stakeholder groups (Technical Advisory Committee or Alumni and Supporters Group) collaborate often in order to maintain consistent support of the agriculture education program and promote its success.
4. Agricultural education program stakeholders and supporters (e.g. Technical Advisory Committee and/or Alumni and Supporters group) are recognized for their support of the agricultural education program.
5. Community volunteers (FFA Alumni and Supporters group or others) are organized and involved in supporting the agricultural education program.

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ATTACHMENT 2

6. The agricultural education program provides relevant data/information to key stakeholders and other entities.
7. A recruitment and retention plan is annually implemented for prospective and current students.
8. Follow-up data is collected and maintained on all agriculture program graduates.

Standard 7:

Competent and certified agricultural education instructor provides the core of the program.

Quality Indicators:

1. The agricultural education instructor has current Idaho certification to teach agriculture and has advanced training to enhance instruction in the agricultural education program.
2. The agricultural education instructor provides student instruction and supervision throughout the year in classroom and laboratory, experiential learning (SAE) and leadership and personal development (FFA).
3. The agricultural education instructor demonstrates effectiveness in quality teaching that promotes student growth.
4. The agricultural education instructor practices classroom management that maximizes time-on-task and minimizes disruptive behaviors.
5. The agricultural education instructor demonstrates effectiveness involving experiential learning (SAE) activities that promotes student growth.
6. The agricultural education instructor demonstrates effectiveness involving leadership and personal development (FFA) activities that promotes student growth.
7. The agricultural education instructor demonstrates professional growth through activities to promote knowledge of content, instructional strategies, industry practices and instructor leadership roles.
8. The agricultural education instructor is an active member in local, state and national professional education associations.

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GOVERNING POLICIES AND PROCEDURES
SECTION: VII. DIVISION OF CAREER TECHNICAL EDUCATION
Subsection: D. Miscellaneous Grant Program Standards and Requirements
~~August 2023~~ October 2024

1. Section 33-1629, Idaho Code, establishes the Idaho Agricultural Education Quality Program Standards Incentive Grants and Agricultural Education Program Start-Up Grants. These grants shall be administered based on the provisions of Section 33-1629, Idaho Code, and IDAPA 55.01.04.

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 by the Board of Education August 14, 2014 August 21, 2024, 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>.

2. Industry Partner Fund

Section 33-2213, Idaho Code, establishes the 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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ATTACHMENT 3

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.

a. 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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ATTACHMENT 3

- 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.

b. 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

c. 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.

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: VII. DIVISION OF CAREER TECHNICAL EDUCATION

**Subsection: D. Miscellaneous Grant Program Standards and Requirements
October 2024**

1. Section 33-1629, Idaho Code, establishes the Idaho Agricultural Education Quality Program Standards Incentive Grants and Agricultural Education Program Start-Up Grants. These grants shall be administered based on the provisions of Section 33-1629, Idaho Code, and IDAPA 55.01.04.

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 by the Board of Education August 21, 2024, 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>.

2. Industry Partner Fund

Section 33-2213, Idaho Code, establishes the 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.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

ATTACHMENT 4

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.

a. 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)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024**

ATTACHMENT 4

- 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
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- ii. Number of enrolled or participating students
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- v. Industry match
- vi. If practicable, Idaho public college credits, certificates, certifications, qualifications or micro certifications of value toward postsecondary certificates or degrees.
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PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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DIVISION OF CAREER TECHNICAL EDUCATION (DIVISION)

SUBJECT

Board Policy VII.C. Career Technical Educator Certification – Second Reading

REFERENCE

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, 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 14, 2023	Board approved first reading of proposed amendments to Board policy IV.E. moving the policies regarding the Division to Section VII and repealing Board policy IV.E.
August 23, 2023	Board approved second reading of proposed amendments, repealing Board Policy IV.E. and establishing Board Policy Section VII for Division of CTE policies.
June 12, 2024	Board approved first reading of proposed amendments to Board Policy VII.C. establishing new endorsements.

APPLICABLE STATUTE, RULE, OR POLICY

State Board of Education Policy VII.C.
Section 33-2201, 33-2203, and 33-2205, Idaho Code.

BACKGROUND/DISCUSSION

Pursuant to Section 33-2203, Idaho Code, the State Board for Career Technical Education is authorized “to prescribe qualifications for teachers, directors and supervisors for such subjects, and to have full authority to provide for the certification for such” educators. The Division is responsible for managing the process and issuing career technical secondary and postsecondary educator certificates. The minimum requirements for issuing career technical certificates are established in Section 33-2205, Idaho Code, while the program area endorsement requirements are contained in Board policy VII.C. Endorsement areas are updated regularly as part of the pathway standards review process in order to maintain alignment between certification endorsements and the pathways being taught.

The proposed amendments in the first reading of Board policy VII.C. created new endorsements for cybersecurity and aircraft maintenance programs as well as

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update the title of the small engine repair endorsement to Powersports and Outdoor Power Equipment. Additional technical amendments include updating an existing reference to IDAPA 08.02.02 and changing the name of the Heavy Equipment/Diesel Technology endorsement to Heavy Duty Truck and Equipment. As part of the feedback cycle the Division is proposing one amendment to the Powersports and Outdoor Power Equipment endorsement. Rather than rename the endorsement, the endorsement is being split into two endorsements, resulting in retaining the current small engine repair endorsement and splitting out the powersports and outdoor power equipment into a new endorsement area aligned more specifically with the agriculture programs pathway standards.

IMPACT

The proposed amendments will make technical corrections, update language for the small engine repair endorsements to current standards and add endorsements for aircraft maintenance and cybersecurity programs.

Should the Board approve the second reading of the proposed amendments, the amendments will be in full effect as of 8/21/24.

ATTACHMENTS

- Attachment 1 – Proposed Amendments to Board Policy VII.C. - Redline
- Attachment 2 – Proposed Amendments to Board Policy VII.C. – Clean Copy

STAFF COMMENTS AND RECOMMENDATIONS

No concerns were expressed during PPGA on 8/2/24. Some revisions were made by DCTE between the first and second readings of the proposed changes; however, the added content does not appear to require an additional reading at this time.

Originally, the Division had proposed to remove the Small Engine Repair/Power Sports endorsement from the list. However, after further discussion with stakeholders, the Division opted to remove only the Small Engine Repair endorsement, but retain and elevate the Powersports and Outdoor Equipment endorsement.

Board staff recommends approval of the second reading of proposed amendments to Board Policy VII.C..

BOARD ACTION

I move to approve the second reading of Board Policy VII.C. Career Technical Educator Certification as provided in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: VII. DIVISION OF CAREER TECHNICAL EDUCATION

Subsection: C. Career Technical Educator Certification

August 2023~~4~~

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 in. Endorsement eligibility is determined by the Idaho Division of Career Technical Education. Career technical education endorsements consist of the following:

1. Endorsements A-C

- a. 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.
- b. Agribusiness (6-12). Industry experience that indicates applied competence in the majority of the following areas: plant and animal science; agricultural 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.
- c. 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.
- d. 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.
- e. 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.
- e.f. Aircraft Maintenance (6-12). Industry experience that indicates applied competence in the majority of the following areas: aviation safety regulations, aviation industry trends; aviation career paths, skills, and qualifications; knowledge of aircraft systems including electrical, hydraulic, pneumatic, avionics, and propulsion systems, and other components; aircraft maintenance principles and

practices; maintenance tools and equipment; experience in inspecting, troubleshooting, and diagnosing issues with aircrafts; composite repair techniques, and preventative and structural maintenance.

f.g. 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.

g.h. 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.

h.i. 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.

i.j. 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.

j.k. Automotive Collision Repair (6-12). Industry experience that indicates applied competence in the majority of the following areas: auto body collision-repair practices; tools; trade skills in refinishing, welding, and painting.

k.l. 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.

l.m. 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.

m.n. 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.

n.o. 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.

o.p. 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.

p.g. 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.

q.r. 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.

r.s. 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.

s.t. 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.

t.u. 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.

v. 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.

u.w. Cybersecurity (6-12). Industry experience that indicates applied competence in the majority of the following areas: fundamentals of cybersecurity, cyber operations, offensive security, defense security, forensics, incident

response, networking, risk management, cyber systems thinking, and advanced topics in cybersecurity

2. Endorsements D-N

- a. 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.
- b. 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.
- c. 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 projection, two- and three-dimensional drawings, manual drafting, and computer aided design.
- d. 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.
- e. 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.
- f. 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.
- g. 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.
- h. 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.
 - i. 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.
 - j. 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.
 - k. Heavy Duty Truck and 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.
 - l. 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.
 - m. 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.
 - n. 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.
 - o. 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.

- p. 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.
 - q. 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.
 - r. 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.
 - s. 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.
 - t. 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.
3. Endorsements ~~O-WZ~~
- a. 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.
 - b. 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.

- c. 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.
- d. Plumbing Technology (6-12). Industry experience that indicates applied competence in technical subjects and skills related to the plumbing trade as 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.
- e. Powersports and Outdoor Power Equipment (6-12). Industry experience that indicates applied competence in the majority of the following areas: workplace safety; tools and equipment; precision measuring instruments and fasteners; unit, equipment, and component identification; engine repair, lubrication, and cooling; electrical/electronic systems; fuel, ignition, and engine management systems; drives, clutches, axles, and transmission systems; wheels, tires and breaks systems; chassis, suspension, and steering systems; and hydraulic systems.
- e.f. 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.
- f.g. 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.
- g.h. 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.
- h.i. 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.
- i.j. 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.
- j.k. 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.

~~k-l.~~ 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.

4. Degree Based Career Technical Certificate Endorsements:

a. 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.

b. 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.

~~c.~~ 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~~ DAPA 08.02.02.015.04.a.

~~e-d.~~ Cybersecurity Technology Education (6-12). Twenty (20) semester credit hours to include coursework or entry-level cybersecurity certifications in methods of teaching cybersecurity, fundamentals of cybersecurity, cyberoperations, offensive security, defense security, forensics, incident response, networking, risk management, cyber-systems thinking, and advanced topics in cybersecurity

~~d-e.~~ 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~~ DAPA 08.02.02.015.04.a.

~~e-f.~~ 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 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.

~~f-g.~~ 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.

~~g-h.~~ 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.

5. The following career technical education endorsements awarded prior to July 1, 2020 shall be grandfathered and shall not be awarded after July 1, 2020:
 - a. Agricultural Business Management (6-12)
 - b. Agricultural Power Machinery (6-12)
 - c. Agricultural Production (6-12)
 - d. Animal Health and Veterinary Science (6-12)
 - e. Aquaculture (6-12)
 - f. Business Management/Finance (6-12)
 - g. Child Development Care and Guidance (6-12)
 - h. Culinary Arts (6-12)
 - i. Dietitian (6-12)
 - j. Farm and Ranch Management (6-12)
 - k. Fashion and Interiors (6-12)
 - l. Food Service (6-12)
 - m. Forestry (6-12)
 - n. Horticulture (6-12)
 - o. Information/Communication Technology (6-12)
 - p. Microcomputer Applications (6-12)
 - q. Natural Resource Management (6-12)
 - r. Networking and Computer Support (6-12)
 - s. Orientation to Health Professions (6-12)
 - t. Programming and Web Design (6-12)

6. The review and approval of professional development courses subject to the provisions of Section 33-1614, Idaho Code, will be evaluated and approved by the Division.

**Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: VII. DIVISION OF CAREER TECHNICAL EDUCATION
Subsection: C. Career Technical Educator Certification**

August 2024

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 to provide instruction in. Endorsement eligibility is determined by the Idaho Division of Career Technical Education. Career technical education endorsements consist of the following:

1. Endorsements A-C
 - a. 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.
 - b. Agribusiness (6-12). Industry experience that indicates applied competence in the majority of the following areas: plant and animal science; agricultural 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.
 - c. 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.
 - d. 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.
 - e. 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.
 - f. Aircraft Maintenance (6-12). Industry experience that indicates applied competence in the majority of the following areas: aviation safety regulations, aviation industry trends; aviation career paths, skills, and qualifications; knowledge of aircraft systems including electrical, hydraulic, pneumatic, avionics, and propulsion systems, and other components; aircraft maintenance principles and

practices; maintenance tools and equipment; experience in inspecting, troubleshooting, and diagnosing issues with aircrafts; composite repair techniques, and preventative and structural maintenance.

- g. 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.
- h. 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.
- i. 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.
- j. 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.
- k. Automotive Collision Repair (6-12). Industry experience that indicates applied competence in the majority of the following areas: auto body collision-repair practices; tools; trade skills in refinishing, welding, and painting.
- l. 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.
- m. 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.
- n. 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.
- o. 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.
- p. 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.
 - q. 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.
 - r. 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.
 - s. 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.
 - t. 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.
 - u. 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.
 - v. 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.
 - w. Cybersecurity (6-12). Industry experience that indicates applied competence in the majority of the following areas: fundamentals of cybersecurity, cyber operations, offensive security, defense security, forensics, incident response, networking, risk management, cyber systems thinking, and advanced topics in cybersecurity

2. Endorsements D-N

- a. 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.
- b. 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.
- c. 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 projection, two- and three-dimensional drawings, manual drafting, and computer aided design.
- d. 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.
- e. 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.
- f. 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.
- g. 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.

- h. 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.
- i. 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.
- j. 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.
- k. Heavy Duty Truck and Equipment (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.
- l. 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.
- m. 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.
- n. 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.
- o. 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.
- p. 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.

- q. 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.
 - r. 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.
 - s. 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.
 - t. 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.
3. Endorsements O-Z
- a. 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.
 - b. 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.

- c. 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.
- d. Plumbing Technology (6-12). Industry experience that indicates applied competence in technical subjects and skills related to the plumbing trade as 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.
- e. Powersports and Outdoor Power Equipment (6-12). Industry experience that indicates applied competence in the majority of the following areas: workplace safety; tools and equipment; precision measuring instruments and fasteners; unit, equipment, and component identification; engine repair, lubrication, and cooling; electrical/electronic systems; fuel, ignition, and engine management systems; drives, clutches, axles, and transmission systems; wheels, tires and breaks systems; chassis, suspension, and steering systems; and hydraulic systems.
- f. 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.
- g. 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.
- h. 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.
- i. 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.
- j. Small Engine Repair (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.
- k. 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.

- I. 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.
4. Degree Based Career Technical Certificate Endorsements:
 - a. 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.
 - b. 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.
 - c. 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 IDAPA 08.02.02.015.04.a.
 - d. Cybersecurity Technology Education (6-12). Twenty (20) semester credit hours to include coursework or entry-level cybersecurity certifications in methods of teaching cybersecurity, fundamentals of cybersecurity, cyberoperations, offensive security, defense security, forensics, incident response, networking, risk management, cyber-systems thinking, and advanced topics in cybersecurity
 - e. Engineering (6-12). Successful attainment of an Institutional Recommendation for the Engineering (6-12) endorsement on a Standard Instructional Certificate, completion of coursework satisfying IDAPA 08.02.02.015.04.a.
 - f. 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 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.
 - g. 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.
 - h. 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.

5. The following career technical education endorsements awarded prior to July 1, 2020 shall be grandfathered and shall not be awarded after July 1, 2020:
 - a. Agricultural Business Management (6-12)
 - b. Agricultural Power Machinery (6-12)
 - c. Agricultural Production (6-12)
 - d. Animal Health and Veterinary Science (6-12)
 - e. Aquaculture (6-12)
 - f. Business Management/Finance (6-12)
 - g. Child Development Care and Guidance (6-12)
 - h. Culinary Arts (6-12)
 - i. Dietitian (6-12)
 - j. Farm and Ranch Management (6-12)
 - k. Fashion and Interiors (6-12)
 - l. Food Service (6-12)
 - m. Forestry (6-12)
 - n. Horticulture (6-12)
 - o. Information/Communication Technology (6-12)
 - p. Microcomputer Applications (6-12)
 - q. Natural Resource Management (6-12)
 - r. Networking and Computer Support (6-12)
 - s. Orientation to Health Professions (6-12)
 - t. Programming and Web Design (6-12)

6. The review and approval of professional development courses subject to the provisions of Section 33-1614, Idaho Code, will be evaluated and approved by the Division.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

SUBJECT

Legislative Proposals 2025 – Safety and Security Advisory Board

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.
August 2022	Board approved fifteen (15) pieces of legislation to move forward through the Executive Agency Legislative process.
June 2023	Board approved five (5) legislative ideas to be submitted through the Executive Agency Legislative process.
June 2024	Board approved four (4) 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.

IMPACT

Staff will submit Board-approved legislative proposals through the Executive Agency Legislative process. The Board will be updated as the legislative

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

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 – Statement of Purpose and Fiscal Note

Attachment 2 – Proposed Safety and Security Advisory Board Legislation

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Currently, Section 33-5905, Idaho Code establishes the Safety and Security Advisory Board. Due to its size, this board struggles to establish a quorum for meetings. The Proposed amendments would reduce the number of members of the Board from thirteen (13) to six (6).

Board staff recommends that the Board approve the proposed legislation in substantial conformance to Attachment 2.

BOARD ACTION

I move to approve the proposed Safety and Security Advisory Board legislation in substantial conformance to Attachment 2, 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 _____

STATEMENT OF PURPOSE

Section 33-5905, Idaho Code establishes a School Safety and Security Advisory Board. Currently that board consists of thirteen (13) individuals appointed by various officials. The size of the board has been problematic. It has not been possible to fill of the appointments and the board has struggled to establish a quorum for its required meetings. This proposed legislative amendment would reduce the size of the board, while still ensuring broad stakeholder representation.

FISCAL NOTE

This legislation will have no impact on the state’s General fund or any dedicated fund or federal fund because the proposed amendments only serve to reduce the number of individuals serving on an advisory board and do not generate any cost. The reduction in number of appointments will reduce the cost of meeting travel and administration.

Fiscal Note Features	Yes	No	Description
Would any excess spending be automatically drawn from PESF (or any other fund) or added to a deficiency warrant?	<input type="checkbox"/>	<input type="checkbox"/>	NA
Does the bill have any revenue impacts for units of local government?	<input type="checkbox"/>	<input type="checkbox"/>	NA
Has the fiscal note been reviewed by a third party (DFM or LBO)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DFM reviewed the fiscal note

Contact:

Jenn Thomspson, Chief Policy Officer
 State Board of Education
 208-332-1852

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

SECTION 1. That Section 33-5905, Idaho Code, be, and the same is hereby amended to read as follows:

33-5905. IDAHO SCHOOL SAFETY AND SECURITY ADVISORY BOARD. (1) There is hereby established in the office of the state board of education the Idaho school safety and security advisory board. The advisory board shall consist of ~~thirteen (13)~~ six (6) members as follows:

(a) ~~Four (4)~~ Two (2) members appointed by the governor as follows:

(i) One (1) ~~parent of a student who attends an Idaho public school person currently employed as an emergency responder; and~~

(ii) One (1) member at large; ~~teacher who teaches in an Idaho public school;~~

~~(iii) One (1) representative of a local school board; and~~

~~(iv) One (1) representative of school superintendents;~~

(b) The state superintendent of public instruction or the superintendent's designee;

(c) One (1) representative ~~from~~ appointed by the state board of education;

~~(d) One (1); representative from the Idaho state police;~~

~~(e) One (1) representative from the Idaho chiefs of police association;~~

~~(f) One (1) representative from the Idaho sheriffs' association;~~

~~(g) One (1) representative from the Idaho office of emergency management;~~

~~(h) One (1) representative from the Idaho fire chiefs association; and~~

~~(i)~~ (e) Two (2) representatives from the state legislature that shall include one (1) member from the senate appointed by the president pro tempore of the senate and one (1) member from the house of representatives appointed by the speaker of the house of representatives.

~~(2) The members of the advisory board shall serve the following terms:~~

~~(a) The gubernatorial appointees shall serve terms of three (3) years.~~

~~(b)~~ (2) All ~~other~~ members shall serve terms of two (2) years and shall remain in service until reappointed.

(3) A vacancy on the advisory board shall be filled in the same manner as the original appointment and for the balance of the unexpired term.

(4) The advisory board shall appoint a chairperson from among its members for a term certain.

(5) The members of the advisory board shall be compensated as provided in section 59-509(b), Idaho Code.

(6) The advisory board shall meet at least annually, but may meet more frequently subject to the call of the chairperson.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in the full force and effect on and after July 1, 2025.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

SUBJECT

Legislative Proposals 2025 – Broadband Fund Distribution

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.
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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.

IMPACT

Staff will submit Board-approved legislative proposals through the Executive Agency Legislative process. The Board will be updated as the legislative

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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 – Statement of Purpose and Fiscal Note

Attachment 2 – Proposed Broadband Fund Distribution Legislation

BOARD STAFF COMMENTS AND RECOMMENDATIONS

HB738 (2024) shifted the appropriation of funds from the Broadband Infrastructure Fund from the state department of education to the state board of education. Section 33-5605, Idaho Code grants fund distribution authority to the state department of education for the cost of internet service. As a consequence of HB738 (2024), an amendment to Section 33-5605 is required to allow for funds to be distributed by the agency to which the funds are now appropriated.

Board staff recommends that the Board approve the proposed legislation in substantial conformance to Attachment 2.

BOARD ACTION

I move to approve the proposed Broadband fund distribution legislation in substantial conformance to Attachment 2, 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 _____

STATEMENT OF PURPOSE

H738 (2024) shifted the appropriation of broadband program funds from the Idaho Department of Education (IDE) to the State Board of Education. However, Section 33-5605(1), Idaho Code provides that the IDE shall distribute monies appropriated for broadband and related services. It is necessary to amend Section 33-5605, Idaho Code to ensure all relevant sections of code are in alignment.

FISCAL NOTE

This legislation will have no impact on the state’s General fund or any dedicated fund or federal fund because the proposed legislation would clarify which agency is responsible for distribution of funds already appropriated. No new funding is required.

Fiscal Note Features	Yes	No	Description
Would any excess spending be automatically drawn from PESF (or any other fund) or added to a deficiency warrant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Does the bill have any revenue impacts for units of local government?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Has the fiscal note been reviewed by a third party (DFM or LBO)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	DFM reviewed during the EALS submission process.

Contact:

Jenn Thompson, Chief Policy Officer
 State Board of Education
 208-332-1582

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

Section 1: That Section 33-5605, Idaho Code, be, and the same is hereby amended to read as follows:

33-5605. EDUCATION OPPORTUNITY RESOURCE ACT – RULEMAKING. (1) The state ~~department-board~~ of education shall distribute appropriated moneys to 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 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 and shall provide technical, E-rate, and security contracting, procurement guidance, and assistance to Idaho public libraries at any such entity's request.

(3) 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 a district consistently exceeds utilization benchmarks, as 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, and security contracting, procurement guidance, and assistance to districts at any such entity's request.

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SUBJECT

Legislative Proposals 2025 – Behavioral Threat Assessment and Management Teams

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.
August 2022	Board approved fifteen (15) pieces of legislation to move forward through the Executive Agency Legislative process.
June 2023	Board approved five (5) 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.

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 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 proposals prior to final submittal to the Legislative Services Office for

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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.

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 – Statement of Purpose and Fiscal Note – BTAM Legislation
Attachment 2 – Proposed BTAM Legislation

BOARD STAFF COMMENTS AND RECOMMENDATIONS

The proposed legislation would establish BTAM groups in K-12 schools, provide for training, model policies and best practices, and both start-up and ongoing professional development for BTAM teams. The legislation would also ensure that BTAM teams that substantially conformed to the legislation and the best practices would not be held liable should a safety incident occur.

The legislation proposes a five-year cost of \$300,000 from the general fund. In the first year of implementation, \$50,000 would be used to develop training and training resources that could be used repeatedly. Another \$50,000 for each of the five years (\$250,000) would be used to provide professional development and targeted training and support for BTAM teams.

Board staff recommends approval of the proposed legislation in substantial conformance to Attachment 2.

BOARD ACTION

I move to approve the proposed legislation in substantial conformance to Attachments 2, 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 _____

STATEMENT OF PURPOSE

The State Board of Education strives to prevent targeted violence against self or others in schools through the use of behavioral threat assessment and management teams in school districts and public charter schools. The proposed legislation would codify the establishment of Behavioral Threat Assessment and Management Teams (BTAM) in K-12 schools. This legislation would also establish model guidelines and provide training for local BTAM teams based on best practices. Finally, it would ensure that teams established, trained, and that acted in good faith and substantial conformance with the model guidelines and the legislation not be held liable for a failure to prevent an act of violence.

FISCAL NOTE

This legislation would carry a fiscal impact to provide for the development of model guidelines as well as the development and implementation of training statewide. The specific financial impact is estimated at approximately \$300,000 across five years. It is estimated that \$50,000 in year one would be specific to program development costs and that \$50,000 in each of five years would be earmarked for training and implementation costs.

State Spending Impact:

Fiscal Year	General	Dedicated	Federal	Total
FY 2025	\$100,000	\$0	\$0	\$0
FY 2026	\$50,000	\$0	\$0	\$0
FY 2027	\$50,000	\$0	\$0	\$0
FY 2028	\$50,000	\$0	\$0	\$0
FY 2029	\$50,000	\$0	\$0	\$0
Five-Year Total	\$300,000	\$0	\$0	\$0

Fiscal Note Features	Yes	No	Description
Does the bill have any one-time fiscal impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	It is estimated that \$50,000 in year one would be specific to program development costs and that \$50,000 in each of five years would be earmarked for training and implementation costs.
Does the bill call for any delayed implementation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Would any excess spending be automatically drawn from PESF (or any other fund) or added to a deficiency warrant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Does the bill have any revenue impacts for units of local government?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Is the fiscal impact accounted for in the executive budget recommendation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Has the fiscal note been reviewed by a third party (DFM or LBO)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	This has been reviewed by DFM during the EALS process.

Contact:

Jenn Thompson, Chief Policy Officer
State Board of Education
208-332-1852

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

SECTION 1. That Chapter 3, Title 5, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 5-349, Idaho Code, and to read as follows:

5-347. IMMUNITY OF BEHAVIORAL THREAT ASSESSMENT AND MANAGEMENT TEAMS IN SCHOOLS. (1) It is the policy of this state to strive to prevent targeted violence against self or others in schools through the use of Behavioral Threat Assessment and Management Teams in school districts and public charter schools.

(2) The following definitions are applicable to this chapter:

(a) "Targeted violence" means violence that is premeditated and directed at specific individuals, groups, or locations, as distinct from violence that is impulsive, random, or spontaneous. The likelihood of an act of targeted violence occurring can be reduced when behaviors that suggest violence as a possible outcome are identified and addressed.

(b) "Behavioral Threat Assessment and Management team" or "BTAM team" means a multidisciplinary team of school or school district personnel that may include faculty, staff, administrators, and may also include available nurses, counselors, and school resource officers, who will direct, manage, and document the threat assessment process. The team may also include, where available and as needed, representatives from the local child advocacy center, mental health specialists from the department of health and welfare who are trained in children's mental health, juvenile probation officers, and other community members whose experience or expertise may assist in the threat assessment process, following the protocols and leadership of the local school district or public charter school.

(c) "Behavioral Threat Assessment and Management" or "BTAM" means a process to identify students whose behavior elicits concern, assess their risk for engaging in violence or other harmful activities at school against themselves or others, and implement intervention strategies to manage that risk.

(d) "BTAM Model Guidelines" means guidelines provided by the Idaho School Safety and Security Program on how to establish behavioral threat assessment and management teams, develop trusted reporting measures, and conduct threat assessments.

(3) Notwithstanding any other provision of law, no BTAM team that is organized consistently with this chapter, nor any individual participant therein, shall be liable, nor shall a cause of action exist against a public school district or public charter school, for damages or injuries arising from a failure of the BTAM team of a school district or public charter school to prevent an act of targeted violence, provided that the BTAM team:

(a) Acted in good faith in attempting to follow a model in substantial conformance to the BTAM Model Guidelines and, prior to the act of targeted violence, either

(i) had responded consistently with the BTAM Model Guidelines to manage the imminent danger at school to self or others posed by the person who engaged in said act, or

(ii) had determined in good faith, consistently with the BTAM Model Guidelines, that the person who engaged in said act did not present an imminent danger at school to self or others; and

(b) Conducted its threat assessment, if any, of the student or students without violating any state or federal laws regarding:

(i) the right to keep and bear arms;

(ii) confidentiality and student privacy; or

(iii) parental rights; and

(c) Did not engage in any acts constituting intentional, willful, or grossly negligent conduct.

(4) The BTAM team may be formed by (i) the board of trustees of each school district, pursuant to its authority under Section 33-512(16), Idaho Code or (ii) a local or regional representative from the department of health and welfare, assigned by the department for this purpose, pursuant to its authority under Section 16-2404, Idaho Code.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on or after July 1, 2025.

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SUBJECT

Temporary Rule – Docket No. 08-0203-2403, 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.
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.
August 2022	Board approved proposed pending rule, Docket 08-0203-2201.
November 2022	Board approved Pending rule, Docket 08-0203-2201, incorporating amendments required through zero-based rulemaking.
August 2023	Board Approved Proposed rule, Docket 08-0203-2301, removing duplicative language.
November 2023	Board Approved Pending rule, Docket 08-0203-2301, removing duplicative language.
June 2024	Board Approved Temporary rule, Docket 08-0203-2402, updating content standards approval dates.

APPLICABLE STATUTE, RULE, OR POLICY

IDAPA 08.02.03, Rules Governing Thoroughness
Idaho Code Title 67, Chapter 52, Idaho Administrative Procedures Act
Sections 33-116, 33-118, and 33-1612, Idaho Code

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BACKGROUND

Administrative rules promulgated under the Board's authority include IDAPA 08, IDAPA 55, and IDAPA 47.

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. Guidance for the rulemaking process is provided by the Office of Administrative Rules Coordinator, Division of Financial Management through the Idaho Rule Writer's Manual.

Executive Order 2020-01, Zero Based Regulations, created 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.

H563 (2024) amended Section 67-5292, Idaho Code to establish an ongoing five year cycle for review of all administrative rules. The Office of the Administrative Rules Coordinator will publish a schedule of rule review prior to the expiration of Executive Order 2020-01. All administrative rules will be reviewed on the established schedule going forward.

DISCUSSION

IDAPA 08.02.03, Rules Governing Thoroughness, sets out provisions aimed 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.

The Board adopts content standards for K-12 instruction. Content standards are incorporated by reference into IDAPA 08.02.03. Board Policy IV.D. outlines the six-year revision cycle and review procedures for content standards. The Idaho Department of Education (IDE) manages the review cycle and proposes any necessary revisions to the Board. When revisions are adopted by the Board, IDAPA must be updated to reflect the adoption date of the revised content standards. Content standards were adopted on June 12, 2024. A temporary rule was also promulgated, effective July 3, 2024, to ensure that school districts could implement the new standards from the beginning of the school year. A mid-year adoption of content standards would be an undue burden on schools.

Additionally, in December of 2023, the Idaho Department of Education (IDE) was informed by letter from the U.S. Office of Special Education Programs (OSEP) that the Idaho Special Education Manual needed revision. The IDE recently completed the revision, including public comment period. It is necessary to pursue a temporary rule to ensure that schools begin the school year with a

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compliant special education manual. The document is incorporated by reference into IDAPA 08.02.03, and therefore no resolution can be achieved without amendment to the rule. It is proposed that subsection 109 be removed as all of the information is included in the manual which is incorporated by reference. There is no need for the information to be repeated.

As content standards and the special education manual reside in the same rule, Docket 08-0203-2403, upon approval by the governor’s office, will override Temporary Rule Docket 08-0203-2402.

IMPACT

Should the Board approve this temporary rule, and the governor find it appropriate for the Board to promulgate this temporary rule, the rule will go into effect on August 21, 2024, and expire upon the legislature adjourning sine die at the conclusion of the 2025 legislative session. If promulgated the notice will appear in volume 24-10 of the Idaho Administrative Rule Bulletin.

As some of the revisions to this rule are exempt from negotiation and need to be in place prior to the start of the school year, but other revisions under consideration do not, this temporary rule is being presented separately from a forthcoming proposed rule. The final proposed rule, which will include the revisions presented in this temporary rule, will be considered by the 2025 legislature. These revisions would be codified upon the concurrent resolution of both committee floors with identical action as of sine die of the 2025 legislative session.

ATTACHMENTS

- Attachment 1 – Notice of Rulemaking Adoption of Temporary Rule
- Attachment 2 – Temporary Rule Docket No. 08-0203-2403 - Rules Governing Thoroughness

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval of proposed temporary rule Docket Number 08-0203-2403, as presented in Attachment 2.

BOARD ACTION

I move to approve temporary rule – Docket 08-0203-2403, as submitted in Attachment 2 contingent upon the Board’s receipt of the governor’s approval to promulgate the temporary rule.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 08 – STATE BOARD OF EDUCATION**08.02.03 - RULES GOVERNING THOROUGHNESS****DOCKET NO. 08-0203-2403 (OARC will assign)****{xe "Notice of Temporary Rule"} NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE**

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2024.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section(s) 33-105, 33-116, 33-118, and 33-1612, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The rule will be updated to reflect that the Board adopted revisions to the Special Education Manual on June 12, 2024. The Special Education Manual is incorporated by reference into IDAPA 08.02.03. The proposed amendments to the Idaho Special Education Manual include updates primarily regarding student eligibility to receive services.

Additionally several sets of content standards, which are incorporated by reference into IDAPA 08.02.03, were due for review during the 2023-2024 school year and the revisions proposed by the committee work have been adopted by the Board. These approval dates need to be updated in the rule. Content standards that were revised include: Arts and Humanities, Computer Science and Educational Technology, Driver Education, and Social Studies.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section(s) 67-5226(1) (b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

In December of 2023, the Idaho Department of Education (IDE) was informed by letter from the U.S. Office of Special Education Programs (OSEP) that the Idaho Special Education Manual needed revision. The IDE recently completed the revision, including public comment period. It is necessary to pursue a temporary rule to ensure that schools begin the school year with a compliant special education manual. The document is incorporated by reference into IDAPA 08.02.03, and therefore no resolution can be achieved without amendment to the rule. It is proposed that subsection 109 be removed as all of the information is included in the manual which is incorporated by reference. There is no need for the information to be repeated.

Additionally, this is the second Temp Rule for 08.02.03 in the 2024-25 rulemaking cycle. The new temp rule carries over the updates to the content standards previously approved in the Temp Rule (08-0203-2402) approved by the Board at the June 12, 2024 meeting. The updates in the previous temporary rule are regarding content standards that are incorporated by reference into IDAPA 08.02.03. IDAPA 08.02.03 must be updated to reflect adopted revisions to the documents incorporated by reference.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: NA

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586).

DATED this 30th day of August, 2024.

Nicholas Wagner / Administrative Rules Coordinator / Idaho State Board of Education / 650 W State St. / PO Box 83720 / Boise, Idaho and 83720-0037 / Phone: (208)488-7586, fax: (208)334-2632

08.02.03 – RULES GOVERNING THOROUGHNESS

000. {XE "LEGAL AUTHORITY"}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. {XE "SCOPE"}SCOPE.

These rules govern the thorough education of all public school students in Idaho. (3-15-22)

002. -- 003. (RESERVED)

004. {XE "INCORPORATION BY REFERENCE"}INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-15-22)

01. {xe "Incorporation By Reference: The Idaho Content Standards"}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 ~~June 12, 2024~~August 11, 2016; () (3-15-22)
 - ii. Interdisciplinary Humanities, as revised and adopted on ~~June 12, 2024~~August 11, 2016; () (3-15-22)
 - iii. Media Arts, as adopted on ~~June 12, 2024~~August 11, 2016. () (3-15-22)
 - iv. Music, as revised and adopted on ~~June 12, 2024~~August 11, 2016; () (3-15-22)
 - v. Theater, as revised and adopted on ~~June 12, 2024~~August 11, 2016; () (3-15-22)
 - vi. Visual Arts, as revised and adopted on ~~June 12, 2024~~August 11, 2016; () (3-15-22)
 - vii. World languages, as revised and adopted on ~~June 12, 2024~~August 11, 2016. () (3-15-22)
- b. Computer Science, adopted on ~~June 12, 2024~~November 28, 2016. () (3-15-22)
- c. Driver Education, as revised and adopted on ~~June 12, 2024~~August 10, 2017. () (3-15-22)
- d. Health, as revised and adopted on August 24, 2022. (4-6-23)
- e. Information and Communication Technology, as revised and adopted on August 10, 2017. (3-15-22)
- f. Physical Education, as revised and adopted on August 24, 2022. (4-6-23)
- g. Social Studies, as revised and adopted on ~~June 12, 2024~~November 28, 2016. () (3-15-22)
- h. College and Career Readiness Competencies adopted on June 15, 2017. (3-15-22)

02. {xe "Incorporation By Reference: The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing"}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)

03. {xe "Incorporation By Reference: The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired"}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)

04. {xe "Incorporation By Reference: The Idaho Special Education Manual"}The Idaho Special Education Manual. The Idaho Special Education Manual as adopted by the State Board of Education on ~~August 21, 2024~~~~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)

(BREAK IN CONTINUITY OF SECTIONS)

~~109. {XE "SPECIAL EDUCATION"}SPECIAL EDUCATION.~~

~~01. {xe "Special Education: Definitions"}Definitions.~~ The following definitions apply only to Section 109 of these rules. (3-15-22)

~~a. {xe "Special Education: Definitions: Adult Student"}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. {xe "Special Education: Definitions: Due Process Hearing"}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. {xe "Special Education: Definitions: Education Agency"}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. {xe "Special Education: Definitions: Idaho Special Education Manual"}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. {xe "Special Education: Definitions: Special Education"}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. {xe "Special Education: Legal Compliance"}Legal Compliance.~~ The State Department of Education and education agencies shall comply with 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)~~

~~_____ 03. _____ {xc "Special Education: Eligibility for Special Education"} 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. {xc "Special Education: Individualized Education Programs"} 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 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. {xe "Special Education: Procedural Safeguards"} 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 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. {xc "Special Education: Assistive Technology Devices"} 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. {xc "Special Education: Diplomas & Graduation"} 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. {xc "Special Education: Special Education Advisory Panel"} 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)~~

(BREAK IN CONTINUITY OF SECTIONS)

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

SUBJECT

Proposed Rule – Docket No. 08-0203-2401, 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.
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.
August 2022	Board approved proposed pending rule, Docket 08-0203-2202.
June 2024	Board approved temporary rule, Docket 08-0203-2402, updating content standard approval dates.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Constitution Article IX, Section 1
Idaho Administrative Code, IDAPA 08.02.03, Rules Governing Thoroughness
Idaho Code Title 67, Chapter 52, Idaho Administrative Procedures Act

BACKGROUND

Administrative rules promulgated under the Board's authority include IDAPA 08, IDAPA 55, and IDAPA 47.

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. Guidance for the rulemaking process is

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provided by the Office of Administrative Rules Coordinator, Division of Financial Management through the Idaho Rule Writer's Manual.

Executive Order 2020-01, Zero Based Regulations, created 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.

H563 (2024) amended Section 67-5292, Idaho Code to establish an ongoing five-year cycle for review of all administrative rules. The Office of the Administrative Rules Coordinator will publish a schedule of rule review prior to the expiration of Executive Order 2020-01. All administrative rules will be reviewed on the established schedule going forward.

DISCUSSION

Notice of Intent to Promulgate Rules regarding Docket No. 08-0203-2401 – Rules Governing Thoroughness was published in the June 5, 2024 (Vol 24-6) Idaho Administrative Rules Bulletin.

Changes to subsection 105 regarding High school Graduation Requirements were reviewed by a committee facilitated by the IDE throughout the 2023-2024 school year at the request of the Superintendent of Public Instruction. Idaho is considering modernizing the traditional graduation system to better accommodate variable pathways and competency-based graduation plans.

This proposed rule incorporates the amendments as presented in temporary rule Docket 08-0203-2403 and Docket 08-0203-2402. These temporary rules include updates to the Board approval date of content standards and the special education manual, which are incorporated by reference as well as removal of repetitious language. The temporary rules were necessary to ensure that the content standards and the special education manual were in place prior to the start of the school year. The proposed rule would carry these forward along with the graduation requirements (which would not be applicable for the current school year).

A review of the temporary rule amendments follows:

The Board approved temporary rule docket 08-0203-2402 in June of 2024. This rule addressed the Board's approval of revisions to several sets of content standards. These content standards, which are incorporated by reference into IDAPA 08.02.03, were due for review during the 2023- 2024. The IDE facilitated a year-long review process and proposed revision at the June Board meeting. The revisions were approved by the Board and a temporary rule was promulgated effective July 3, 2024, through *sine die* 2025 to reduce the burden on school

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districts that would need to implement these standards. Content standards that were revised include: Arts and Humanities, Computer Science, Information and Communication Technology, Driver Education, and Social Studies.

The board is asked to approve temporary rule docket 08-0203-2403 in August 2024. If approved, this temporary rule will be effective August 21, 2024, through sine die 2025. The temporary rule addresses amendments proposed by the IDE to the Idaho Special Education Manual, incorporated by reference into IDAPA 08.02.03. The revisions were necessary to ensure compliance with the Individuals with Disabilities Act, as the Idaho Department of Education was notified in October of 2023 of necessary revisions by the U.S. Department of Education, Office of Special Education Programs, OSEP. Additionally, subsection 109 is proposed to be removed as it is duplicative of the document incorporated by reference.

IMPACT

If the State Board of Education approves the proposed rule, it will be submitted to the Division of Financial Management Office of the Administrative Rules Coordinator and will be published as a proposed rule. The proposed rule serves to carry the two temporary rules forward permanently and adds amendments to graduation requirements, also to be carried forward permanently.

A 21-day public feedback period follows the publication of proposed rules. During this time stakeholders and members of the public may provide additional feedback on the drafted text. Based on comments received during the feedback window 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 for final publication 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.

If the State Board of Education does not approve the proposed rule, the existing rule will remain in effect.

ATTACHMENTS

- Attachment 1 - Notice of Intent to Promulgate Rules
- Attachment 2 - Proposed Rule Docket No. 08-0203-2401- Rules Governing Thoroughness

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval of proposed rule Docket Number 08-0203-2401, as presented in Attachment 2.

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AUGUST 21, 2024

BOARD ACTION

I move to approve proposed rule – Docket Number 08-0203-2401 as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 08 – STATE BOARD OF EDUCATION**08.02.03 – RULES GOVERNING THOROUGHNESS****DOCKET NO. 08-0203-2401****{xe "Notice of Proposed Rule (No Public Hearings Scheduled)"} NOTICE OF RULEMAKING -
PROPOSED RULE**

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under sections 33-105, 33-116, 33-118, and 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 16, 2024.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking: Changes to subsection 105 regarding High school Graduation Requirements were reviewed by a committee facilitated by the IDE throughout the 2023-2024 school year at the request of the Superintendent of Public Instruction. Idaho is considering modernizing the traditional graduation system to better accommodate variable pathways and competency-based graduation plans.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 5, 2024 Idaho Administrative Bulletin, Volume 24-6, page.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

The Idaho Department of Education (IDE) is requesting the Board promulgate rules and incorporated by reference documents in IDAPA 08.02.03. Several sets of content standards, which are incorporated by reference into IDAPA 08.02.03, were due for review during the 2023- 2024 school year and the revisions proposed by the committee work were adopted on June 12, 2024. These approval dates need to be updated in the rule. Content standards that were revised include: Arts and Humanities, Computer Science, Information and Communication Technology, Driver Education, and Social Studies.

The Idaho Special Education Manual, incorporated by reference into IDAPA 08.02.03, was revised to ensure compliance with the Individuals with Disabilities Act, as the Idaho Department of Education was notified in October of 2023 of non-compliance by the U.S. Department of Education, Office of Special Education Programs, OSEP. Specifically, the manual must be updated regarding student eligibility requirements. This change is addressed through a separate temporary rule which will expire upon adjournment sine die 2025. Revisions to this manual were adopted on August 21, 2024.

A thorough review of graduation requirements, facilitated by the IDE, was conducted in 2024. On August 21, 2024, The State Board of Education approved the IDE's recommendation to move forward with the proposed changes to administrative rule to reflect this work. Language in the revisions reflects the intent to phase in the changes

to be in full effect for the graduating class of 2027.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 23, 2024.

DATED this 23rd day of August 2024.

Nicholas Wagner
Administrative Rules Coordinator Idaho State Board of Education 650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586, fax: (208)334-2632

08.02.03 – RULES GOVERNING THOROUGHNESS

{XE "INSTRUCTIONAL REQUIREMENTS"}BREAK IN CONTINUITY OF SECTIONS)

004. {XE "INCORPORATION BY REFERENCE"}INCORPORATION BY REFERENCE. (3-15-22)
 The following documents are incorporated into this rule:

01. {xe "Incorporation By Reference: The Idaho Content Standards"}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 ~~June 12, 2024~~August 11, 2016; () (3-15-22)
- ii. Interdisciplinary Humanities, as revised and adopted on ~~June 12, 2024~~August 11, 2016; () (3-15-22)
- iii. Media Arts, as adopted on ~~June 12, 2024~~August 11, 2016. () (3-15-22)
- iv. Music, as revised and adopted on ~~June 12, 2024~~August 11, 2016; () (3-15-22)
- v. Theater, as revised and adopted on ~~June 12, 2024~~August 11, 2016; () (3-15-22)
- vi. Visual Arts, as revised and adopted on ~~June 12, 2024~~August 11, 2016; () (3-15-22)
- vii. World languages, as revised and adopted on ~~June 12, 2024~~August 11, 2016. () (3-15-22)
- b. Computer Science, adopted on ~~June 12, 2024~~November 28, 2016. () (3-15-22)
- c. Driver Education, as revised and adopted on ~~June 12, 2024~~August 10, 2017. () (3-15-22)
- d. Health, as revised and adopted on August 24, 2022. (4-6-23)
- e. Information and Communication Technology, as revised and adopted on ~~June 12, 2024~~August 10, 2017. () (3-15-22)
- f. Physical Education, as revised and adopted on August 24, 2022. (4-6-23)
- g. Social Studies, as revised and adopted on ~~June 12, 2024~~November 28, 2016. () (3-15-22)
- h. College and Career Readiness Competencies adopted on June 15, 2017. (3-15-22)

02. {xe "Incorporation By Reference: The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing"}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)

03. {xe "Incorporation By Reference: The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired"}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)

04. {xe "Incorporation By Reference: The Idaho Special Education Manual"}The Idaho Special

Education Manual. The Idaho Special Education Manual as adopted by the State Board of Education on August 21, 2024~~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. {XE "DEFINITIONS, IDAPA 08.02.03"}DEFINITIONS.

01. {xe "Definitions, IDAPA 08.02.03: Achievement Standards"}**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 education and paired with descriptions of how well students are mastering the material in the content standards. These descriptions are called achievement level descriptors and are provided by achievement level, by content area, and by grade. (4-6-23)

02. {xe "Definitions, IDAPA 08.02.03: Advanced Opportunities"}**Advanced Opportunities.** Advanced placement courses, Dual Credit courses, ~~micro credentials~~~~Technical Competency Credit~~, or International Baccalaureate programs. () (4-6-23)

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. {xe "Definitions, IDAPA 08.02.03: All Students"}**All Students.** All public school students, grades K-12. (3-15-22)

~~05. **Applied Science.** Applying scientific knowledge to practical problems or situations. ()~~

065. {xe "Definitions, IDAPA 08.02.03: Assessment"}**Assessment.** The process of quantifying, describing, or gathering information about skills, knowledge or performance. (3-15-22)

076. {xe "Definitions, IDAPA 08.02.03: Assessment Standards"}**Assessment Standards.** Statements setting forth guidelines for evaluating student work, as in the “Standards for the Assessment of Reading and Writing.” (3-15-22)

087. {xe "Definitions, IDAPA 08.02.03: Career Pathway Plan"}**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)

098. {xe "Definitions, IDAPA 08.02.03: Career Technical Education"}**Career Technical Education.** Formal preparation for semi-skilled, skilled, technical, or paraprofessional occupations, usually below the baccalaureate level. (3-15-22)

109. {xe "Definitions, IDAPA 08.02.03: College and Career Readiness"}**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)

110. {xe "Definitions, IDAPA 08.02.03: Content Standards"}**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)

124. {xe "Definitions, IDAPA 08.02.03: Criteria"}**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)

132. {xe "Definitions, IDAPA 08.02.03: Diploma"}**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)

143. {xe "Definitions, IDAPA 08.02.03: Dual Credit"}**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)

154. {xe "Definitions, IDAPA 08.02.03: Idaho Standards Achievement Tests"}**Idaho Standards Achievement Tests.** Statewide assessments aligned to the state content standards and used to measure a student’s knowledge of the applicable content standards. (3-15-22)

165. {xe "Definitions, IDAPA 08.02.03: International Baccalaureate (IB)}**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)

176. {xe "Definitions, IDAPA 08.02.03: Laboratory"}**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)

~~**18.** **Localized Pathway.** A framework of locally provided offerings that identifies core and elective credits, assessments, and other opportunities aligned to post-secondary goals. Local Education Agencies determine their own framework and students may select offerings aligned with localized pathways. ()~~

197. {xe "Definitions, IDAPA 08.02.03: Portfolio"}**Portfolio.** A digital or physical 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)

2018. {xe "Definitions, IDAPA 08.02.03: Project Based Learning"}**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)

2119. {xe "Definitions, IDAPA 08.02.03: Proficiency"}**Proficiency.** Having or demonstrating a high degree of knowledge or skill in a particular area. (3-15-22)

2220. {xe "Definitions, IDAPA 08.02.03: Standards"}**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)

231. {xe "Definitions, IDAPA 08.02.03: Technical Competency Credit"}**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)

242. {xe "Definitions, IDAPA 08.02.03: Technology Education"}**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)

253. {xe "Definitions, IDAPA 08.02.03: Unique Student Identifier"}**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)

26. Work-Based Learning. Structured learning experiences that connect classroom learning to the workplace. Work-based learning can include technical, academic and employability skills gained in a simulated or real work environment. ()

008. – 101. (RESERVED)

{XE "INSTRUCTIONAL REQUIREMENTS"}**BREAK IN CONTINUITY OF SECTIONS)**

105. {XE "HIGH SCHOOL GRADUATION REQUIREMENTS"}**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. {xe "High School Graduation Requirements: Credit Requirements"}**Credit Requirements.** The State minimum graduation requirement for all Idaho public high schools is forty-six (46) credits and must include twenty-nine (29) credits in core subjects as identified in Paragraphs 105.01.c. through 105.01.h. (3-15-22)

a. {xe "High School Graduation Requirements: Credits"}**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. {xe "High School Graduation Requirements: Mastery"}**Mastery.** Students must demonstrate mastery of Idaho Content Standards in a format provided by the LEA. 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.)~~

c. Credit Flexibility. The State Department of Education will support LEAs in the development of crosswalks and templates to assist in awarding credit for prior learning in ways that meet course requirements for high school graduation. ()

d.e. {xe "High School Graduation Requirements: Secondary Language Arts and Communication"}**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 will apply for any student graduating before January 1, 2028 and will consist 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. Instruction in communications consisting of oral communication and technological applications through a sequence of instructional activities that meet the Idaho Speech and Content standards shall be required for any student graduating after January 1, 2028. (3-15-22)

ed. {xe "High School Graduation Requirements: Mathematics"}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 e~~Engineering courses 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. (4-6-23)

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)

fe. {xe "High School Graduation Requirements: Science"}Science. Six (6) credits are required, ~~two (2) of which will be laboratory based.~~ Four credits are required from at least two (2) of the four content areas: physics, chemistry, earth and space or life science. Two (2) credits in Ssecondary sciences may include instruction in applied sciences, physics, chemistry, earth and space sciences, ~~physical sciences,~~ life sciences, ~~and~~ computer science. Engineering courses and computer science courses aligned to the state standards for grades nine (9) through (12), may also be counted as a science credit. (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)

gf. {xe "High School Graduation Requirements: Social Studies"}Social Studies. Five (5) credits are required, including government (two (2) credits), United States history (two (2) credits), and economics and 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. (4-6-23)

hg. {xe "High School Graduation Requirements: Humanities"}Fine Arts or World LanguagesHumanities. Two (2) credits are required. ~~Humanities e~~Courses include instruction in visual arts, music, theatre, dance, or world languages 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)

ih. {xe "High School Graduation Requirements: Health/Wellness"}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, e~~Each student shall receive a minimum of one (1) class period training 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)

ji. Physical Education. 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~~ LEA.

() (3-15-22)

k. Digital Literacy. One (1) credit is required. The course must include instruction that aligns with Idaho Content Standards associated with leveraging technology, digital citizenship, and computational thinking which are imbedded in the Information and Communication Technology Content Standards, and with leveraging the impacts of computing, algorithms, and programming, which are embedded in the Computer Science Standards. This requirement will apply to any student graduating after January 1, 2028.

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02. {xe "High School Graduation Requirements: Content Standards"} **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. {xe "High School Graduation Requirements: Senior Project"} **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. The senior project will last apply for the class of 2027, unless an LEA opts to early implement the future readiness project.

() (3-15-22)

04. Future Readiness Project. The future readiness project is a culminating project that demonstrates a student's application of college and career competencies and exploration of potential post high school options. All students beginning with the class of 2028 must complete a future readiness project by the end of grade twelve (12). The project must include an experiential component, such as a work-based, service-based, research-based, or portfolio-based component in which a student demonstrates the acquisition of Idaho college and career competencies. Experiences including, but not limited to apprenticeships, internships, volunteer work and extracurricular activities related to real-world skills acquisition will count toward this requirement. LEAs must determine how students will demonstrate the acquisition of college and career competencies and may require additional components. The State Department of Education will provide templates for LEAs and oversee the implementation of this provision.

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05. Localized Pathways. In order to assist students in structuring their secondary course selection electives, assessment, and supplemental activities, all LEAs shall develop and post publicly two or more localized pathways. Localized pathways are designed to inform students and parents/guardians of local opportunities aligned with post-secondary goals as identified in the student's career pathway plan. The State Department of Education shall support the implementation of this provision. This provision must be implemented by all LEAs no later than June 30, 2026.

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064. {xe "High School Graduation Requirements: Civics & Government Proficiency"} **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)

075. {xe "High School Graduation Requirements: Middle School"} **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)

086. {xe "High School Graduation Requirements: Special Education Students"}**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)

097. {xe "High School Graduation Requirements: Foreign Exchange Students"}**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)

{{XE "INSTRUCTIONAL REQUIREMENTS"}}BREAK IN CONTINUITY OF SECTIONS)

~~109. — {xe "SPECIAL EDUCATION"}SPECIAL EDUCATION.~~

~~01. — {xe "Special Education: Definitions"}Definitions. The following definitions apply only to Section 109 of these rules. (3-15-22)~~

~~a. — {xe "Special Education: Definitions: Adult Student"}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. — {xe "Special Education: Definitions: Due Process Hearing"}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. — {xe "Special Education: Definitions: Education Agency"}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. — {xe "Special Education: Definitions: Idaho Special Education Manual"}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. ~~{xc "Special Education: Definitions: Special Education"}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. ~~{xc "Special Education: Legal Compliance"}Legal Compliance. The State Department of Education and education agencies shall comply with 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)~~

~~03. {xc "Special Education: Eligibility for Special Education"} 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. {xc "Special Education: Individualized Education Programs"} 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 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. {xe "Special Education: Procedural Safeguards"}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 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. {xc "Special Education: Assistive Technology Devices"} 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. {xc "Special Education: Diplomas & Graduation"} 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. {xe "Special Education: Special Education Advisory Panel"}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)~~

{{XE "INSTRUCTIONAL REQUIREMENTS"}BREAK IN CONTINUITY OF SECTIONS)

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

SUBJECT

Proposed Rule – Docket No. 47-0101-2401, Rules Governing Vocational Rehabilitation Services

REFERENCE

November 2019	Board approved temporary rule for IDVR to reinstate rule that was not renewed by the legislature and expired in June of 2019.
June 2020	Board approved proposed Docket No. 47-0101-2001

APPLICABLE STATUTE, RULE, OR POLICY

Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128
Idaho Constitution Article IX, Section 2
Section 33-2303, Idaho Code
Idaho Administrative Code, IDAPA 47.0101- Rules Governing Vocational Rehabilitation Services
Idaho Code Title 67, Chapter 52, Idaho Administrative Procedures Act

BACKGROUND

Administrative rules promulgated under the Board’s authority include IDAPA 08, IDAPA 55, and IDAPA 47.

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. Guidance for the rulemaking process is provided by the Office of Administrative Rules Coordinator, Division of Financial Management through the Idaho Rule Writer’s Manual.

Executive Order 2020-01, Zero Based Regulations, created 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.

H563 (2024) amended Section 67-5292, Idaho Code to establish an ongoing five-year cycle for review of all administrative rules. The Office of the Administrative Rules Coordinator will publish a schedule of rule review prior to the expiration of Executive Order 2020-01. All administrative rules will be reviewed on the established schedule going forward.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

DISCUSSION

Notice of Intent to Promulgate Rules regarding Docket No. 47-0101-2401 – IDAPA 47-0101 Rules Governing Vocational Rehabilitation Services will be published in the September 4, 2024, Administrative Bulletin.

During the spring and summer of 2024, the Division of Vocational Rehabilitation has been engaged in a federal compliance review. As part of this review, it was identified that IDAPA 47-0101 is in need of minor revisions.

The proposed removal of language specifying that services must be related to a primary individual plan in subsections 203.01.c and 203.02.c and removal of Subsection 206.04, regarding employment maintenance, serve to ensure that the rule is again compliant with federal regulations. Section 33-2303, Idaho Code and the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA). (Public Law 113-128).

IMPACT

If the State Board of Education approves the proposed rule, it will be submitted to the Division of Financial Management Office of the Administrative Rules Coordinator and will be published as a proposed rule.

A 21-day public feedback period follows the publication of proposed rules. During this time stakeholders and members of the public may provide additional feedback on the drafted text. Based on comments received during the feedback window 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 for final publication 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.

If the State Board of Education does not approve the proposed rule, the existing rule will remain in effect.

ATTACHMENTS

- Attachment 1 – Notice of Intent to Promulgate Rules
- Attachment 2 – Proposed Rule Docket No. 47-0101-2401 Rules Governing Vocational Rehabilitation Services

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval of proposed rule Docket Number 47-0101-2401, as presented in Attachment 2.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

BOARD ACTION

I move to approve proposed rule – Docket Number 47-0101-2401, as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 47 – DIVISION OF VOCATIONAL REHABILITATION**47.01.01 – RULES GOVERNING VOCATIONAL REHABILITATION SERVICES****DOCKET NO. 47-0101-2401 (OAR will assign)****NOTICE OF RULEMAKING - PROPOSED RULE**

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 33-2303 and 33-6306, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 16, 2024.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

During the spring and summer of 2024, the Division of Vocational Rehabilitation has been engaged in a federal compliance review. As part of this review, it was identified that IDAPA 47-0101 is in need of minor revisions.

The proposed removal of language specifying that services must be related to a primary individual plan in subsections 203.01.c and 203.02.c and removal of Subsection 206.04, regarding employment maintenance, serve to ensure that the rule is again compliant with federal regulations. Section 33-2303, Idaho Code and the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA). (Public Law 113-128).

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 5, 2024 Idaho Administrative Bulletin, Volume 24-6, page.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 23, 2024.

DATED this 16th day of August 2024.

Nicholas Wagner
Administrative Rules Coordinator Idaho State Board of Education 650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586, fax: (208)334-2632

47.01.01 – RULES GOVERNING VOCATIONAL REHABILITATION SERVICES

000. LEGAL AUTHORITY.

Article IX, Section 2 of the Idaho Constitution, Section 33-2303, Idaho Code and the Rehabilitation Act of 1973, as amended by the Workforce Innovation and Opportunity Act (WIOA). (Public Law 113-128). (4-6-23)

(BREAK IN CONTINUITY OF SECTIONS)

203. SEVERITY OF DISABILITY.

At the time a customer is determined eligible for vocational rehabilitation services, a determination of the severity of disability, as it relates to employment, will also be determined. A priority category assignment will be determined for all eligible individuals, in one (1) of the following categories: (4-6-23)

01. Priority Category 1 - Eligible Individuals with the Most Significant Disabilities (MSD). (4-6-23)

a. Meets criteria established for a customer with a significant disability; and (4-6-23)

b. Experiences a severe physical and/or mental impairment that seriously limits three (3) or more functional categories (such as mobility, work skills, self-care, interpersonal skills, communication, self-direction or work tolerance) in terms of an employment outcome; and (4-6-23)

c. Requires multiple ~~primary Individualized Plan for Employment (IPE)~~ services over an extended period of time. (4-6-23)()

02. Priority Category 2 - Eligible Individuals with Significant Disabilities (SD). (4-6-23)

a. Meets the criteria for a customer with no significant disability; and (4-6-23)

b. Experiences a severe physical and/or mental impairment that seriously limits one (1) or more functional categories (such as mobility, work skills, self-care, interpersonal skills, communication, self-direction or work tolerance) in terms of an employment outcome; and (4-6-23)

c. Requires multiple ~~primary IPE~~ services over an extended period of time. (4-6-23)()

03. Priority Category 3 - All other Eligible Individuals with Disabilities (D). (4-6-23)

a. Has a physical or mental impairment; and (4-6-23)

b. Impairment constitutes or results in a substantial impediment to employment; and (4-6-23)

c. Who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services. (4-6-23)

(BREAK IN CONTINUITY OF SECTIONS)

206. ORDER OF SELECTION.

01. Order of Selection. When the Division cannot provide the full range of vocational rehabilitation services to all eligible customers because of fiscal or personnel capacity constraints, the agency will enter an order of selection. The order of selection will be based on the following requirements: (4-6-23)

a. Students with disabilities, as defined by 34 CFR 361.5(c)(51), who received pre-employment transition services prior to eligibility determination and assignment to a disability priority category will continue to receive such services. (4-6-23)

b. All customers who have an Individualized Plan for Employment will continue to be served. (4-6-23)

02. Priority Status. Priority will be given to eligible individuals with the most significant disabilities, followed by those with significant disabilities, and finally those eligible individuals with disabilities. All eligible customers will be assigned to one (1) of the priority categories as outlined in Section 203 of these rules. (4-6-23)

03. When Unable to Serve Eligible Individuals. If the Division cannot serve all eligible individuals within a given priority category, individuals will be released from the statewide waitlist based on disability priority category and date of application. (4-6-23)

~~**04. Employment Maintenance.** The Division will serve individuals who are in immediate jeopardy of losing their employment and who require specific services or equipment to maintain employment, regardless of severity of disability category assignment, in accordance with 34 CFR 361.36.a(3)(v). (4-6-23)~~

(BREAK IN CONTINUITY OF SECTIONS)

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024**

SUBJECT

Proposed Rule – Docket No. 08-0202-2401, Rules Governing Uniformity

REFERENCE

August 2020	Board approved proposed rule amending IDAPA 08.02.02 adding the advanced professional endorsement and aligning CTE educator certification with 2020 legislative changes.
November 2020	Board approved pending rule amending IDAPA 08.02.02 adding the advanced professional endorsement and aligning CTE educator certification with 2020 legislative changes.
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.
August 2022	Board approved proposed rule docket 08-0202-2201 incorporating amendments required through zero-based rulemaking and amendments requested by education stakeholders and the Department of Education staff.
November 2022	Board approved pending rule docket 08-0202-2201 incorporating amendments required through zero-based rulemaking and amendments requested by education stakeholders and the Department of Education staff.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Constitution Article IX, Section 2
Idaho Administrative Code, IDAPA 08.02.02, Rules Governing Uniformity
Idaho Code Title 67, Chapter 52, Idaho Administrative Procedures Act

BACKGROUND

Administrative rules promulgated under the Board's authority include IDAPA 08, IDAPA 55, and IDAPA 47.

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. Guidance for the rulemaking process is

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

provided by the Office of Administrative Rules Coordinator, Division of Financial Management through the Idaho Rule Writer's Manual.

Executive Order 2020-01, Zero Based Regulations, created 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.

HB563 (2024) amended Section 67-5292, Idaho Code to establish an ongoing five year cycle for review of all administrative rules. The Office of the Administrative Rules Coordinator will publish a schedule of rule review prior to the expiration of Executive Order 2020-01. All administrative rules will be reviewed on the established schedule going forward.

DISCUSSION

Notice of Intent to Promulgate Rules regarding Docket No. 08-0202-2401 – IDAPA 08.01.13 Rules Governing the Opportunity Scholarship was published in the June 5, 2024 (Vol 24-6) Idaho Administrative Rules Bulletin.

The amendment to Idaho Code § 33-1203 that resulted from SB1069 (2023) provided for a board-approved apprenticeship program to be developed. SB1069 also allowed for teacher certifications to be issued to teachers based on completion of four years of college training or the completion of a board approved apprenticeship program. The current language in IDAPA only addresses the four years of college training and needs to be updated to address the additional pathway allowed by this amendment to Idaho Code § 33-1203. A board workgroup developed the program during 2023, the approval by the board was granted in December of 2023 and the U.S. Department of Labor granted approval in February of 2024. Now that the parameters of the program are established, this rule needs to be amended to align with the program exit requirements before apprentices (who will enter the program in fall of 2024) become eligible to exit. The changes also update the apprenticeship subsection 014 to clarify the federally established minimum age for participation in apprenticeships and aligns the rule with the language in Idaho Code § 33- 1203.

Additional changes are proposed to make corrections to the JROTC endorsement requirements and for the purpose of clarifying the teacher certification procedures in several areas where confusion has been common. Technical corrections have also been proposed.

IMPACT

If the State Board of Education approves the proposed rule, it will be submitted to the Division of Financial Management Office of the Administrative Rules Coordinator and will be published as a proposed rule.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

A 21-day public feedback period follows the publication of proposed rules. During this time stakeholders and members of the public may provide additional feedback on the drafted text. Based on comments received during the feedback window 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 for final publication 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.

If the State Board of Education does not approve the proposed rule, the existing rule will remain in effect.

ATTACHMENTS

Attachment 1 – Notice of Intent to Promulgate Rules

Attachment 2 – Proposed Rule Docket No. 08.0202.2401, Rules Governing Uniformity

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval of proposed rule Docket Number 08.0202.2401, as presented in Attachment 2.

BOARD ACTION

I move to approve proposed rule – Docket Number 08.0202.2401, as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 08 – STATE BOARD OF EDUCATION**08.02.02 - RULES GOVERNING UNIFORMITY****DOCKET NO. 08-0202-2401****NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING**

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under Sections 33-105, 33-107, 33-116, and 33-1612, Idaho Code.

MEETING SCHEDULE: A negotiated rulemaking meeting(s) will be held no later than July 3, 2024.

Specific meeting dates, times, and locations of scheduled meetings, details are forthcoming and will be provided on the agency website and on Townhall.Idaho.gov.

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made at least one (1) day prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Interested persons wishing to participate in the negotiated rulemaking may do so by contacting the undersigned either in writing, by email, or by calling the phone number listed below. Responses must be received by July 3, 2024.

Should a sufficient number of persons respond to this notice, additional negotiated meetings will be scheduled. All scheduled meetings shall be posted and made accessible on the agency website at the address listed below and via Townhall.Idaho.gov at least 48 hours before the meeting.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event, the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The amendment to Idaho Code § 33-1203 that resulted from S1069 (2023) provided for a board-approved apprenticeship program to be developed. S1069 also allowed for teacher certifications to be issued to teachers based on completion of four years of college training or the completion of a board approved apprenticeship program. The current language in IDAPA only addresses the four years of college training and needs to be updated to address the additional pathway allowed by this amendment to Idaho Code § 33-1203. A board workgroup developed the program during 2023, the approval by the board was granted in December of 2023 and the U.S. Department of Labor granted approval in February of 2024. Now that the parameters of the program are established, this rule needs to be amended to align with the program exit requirements before apprentices (who will enter the program in fall of 2024) become eligible to exit. The changes also update the apprenticeship subsection 014 to clarify the federally established minimum age for participation in apprenticeships and aligns the rule with the language in Idaho Code § 33- 1203.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586).

Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho State Board of Education website at the following web address: <https://boardofed.idaho.gov/board-policies-rules/board-rules/education->

[rules/](#)

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 3, 2024.

DATED this 3rd day of May, 2024.

Nicholas Wagner / Administrative Rules Coordinator / Idaho State Board of Education / 650 W State St. / PO Box 83720 / Boise, Idaho and 83720-0037 / Phone: (208)488-7586, fax: (208)334-2632

08.02.02 – RULES GOVERNING UNIFORMITY

{XE "INSTRUCTIONAL REQUIREMENTS"}BREAK IN CONTINUITY OF SECTIONS)

007. {XE "DEFINITIONS, IDAPA 08.02.02"}DEFINITIONS.

01. Accredited Institution. For purposes of educator certification, the Idaho state board of education recognizes accreditation organizations recognized and in good standing with the United States department of education pursuant to IDAPA 08.01.11, registration of postsecondary educational institutions and proprietary schools, section 100, or an alternative or non-traditional model approved by the State Board of Education.

02. {xe "Definitions, IDAPA 08.02.02: Clinical Experience"}**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)

032. {xe "Definitions, IDAPA 08.02.02: Clinical Practice"}**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)

043. {xe "Definitions, IDAPA 08.02.02: Credential"}**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)

054. {xe "Definitions, IDAPA 08.02.02: Endorsement"}**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)

065. {xe "Definitions, IDAPA 08.02.02: Field Experience"}**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)

076. {xe "Definitions, IDAPA 08.02.02: Individualized Professional Learning Plan"}**Individualized Professional Learning Plan.** An individualized professional development plan based on the Idaho framework for teaching evaluation as outlined in Section 120 of these rules to include interventions based on the individual's strengths and areas of needed growth. (3-15-22)

087. {xe "Definitions, IDAPA 08.02.02: Institutional Recommendation"}**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 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. (4-6-23)

098. {xe "Definitions, IDAPA 08.02.02: Internship"}**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)

1009. {xe "Definitions, IDAPA 08.02.02: Local Education Agency (LEA)"}Local Education Agency (LEA). An Idaho public school district or charter school pursuant to Section 33-5203(8), Idaho Code. (3-15-22)

11. Mentoring Program. A state board approved mentoring program means any mentoring program implemented by a school district or public charter school that substantially conforms to the mentorship standards adopted by the State board of Education. ()

120. {xe "Definitions, IDAPA 08.02.02: Paraprofessional"}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 in the academic areas they are providing support in; or (4-6-23)

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 in the academic areas they are providing support in. (4-6-23)

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)

131. {xe "Definitions, IDAPA 08.02.02: Pedagogy"}Pedagogy. Teaching knowledge and skills. (3-15-22)

142. {xe "Definitions, IDAPA 08.02.02: Portfolio"}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)

153. {xe "Definitions, IDAPA 08.02.02: Practicum"}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)

164. {xe "Definitions, IDAPA 08.02.02: Semester Credit Hours"}Semester Credit Hours. Two (2) semester credit hours are equivalent to three (3) quarter credit hours. (3-15-22)

175. {xe "Definitions, IDAPA 08.02.02: Student Learning Objective (SLO)"}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)

186. {xe "Definitions, IDAPA 08.02.02: Student Teaching"}**Student Teaching.** Extensive, substantive, and supervised clinical practice in Pre-K-12 schools for candidates preparing for an instructional certificate. (4-6-23)

197. {xe "Definitions, IDAPA 08.02.02: Teacher of Record"}**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. (4-6-23)

~~008. -- 011. (RESERVED)~~

~~012. {XE "ACCREDITED INSTITUTION"}**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)~~

~~008. -- 012. (RESERVED)~~

013. {XE "CERTIFICATION OF TEACHERS TRAINED IN FOREIGN INSTITUTIONS"}**CERTIFICATION OF TEACHERS TRAINED IN FOREIGN INSTITUTIONS.**

An educator having graduated from a foreign institution educator preparation program shall be treated as 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 any/~~or~~ credentials that have been translated and evaluated by an approved evaluation service. () (4-6-23)

014. {XE "CERTIFICATES ISSUED TO APPLICANTS FROM REGIONALLY ACCREDITED INSTITUTIONS"}**CERTIFICATES ISSUED TO APPLICANTS ~~FROM REGIONALLY ACCREDITED INSTITUTIONS.~~**

Idaho certificates may be issued to applicants completing any of the following Idaho State Board of Education approved routes: accredited educator preparation programs, non-tradition educator preparation program,- educator registered apprenticeship programs, a board approved non-traditional or non-public preparation program, an alternative authorization pathway, or the ~~from regionally accredited institutions recognized by the state board of education meeting requirements for certification or~~ equivalent of Idaho certification requirements in other states when they substantially meet the requirements for a standard Idaho educator certificate. () (4-6-23)

015. {XE "IDAHO EDUCATOR CREDENTIAL"}**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. {xe "Idaho Educator Credential: Standard Instructional Certificate"}**Standard Instructional Certificate.** Standard instructional certificates may be issued to completers of traditional routes pursuant to section 33-1203, Idaho code, completers of board approved educator registered apprenticeship programs, or individuals who meet interim certificate requirements. A Standard Instructional Certificate makes an individual eligible to teach all grades and subjects attached to the certificate and valid endorsements. Completers of traditional routes shall meet the following requirements, ~~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 or successfully completes an interim certificate requirements:~~ () (4-6-23)

- 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 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; (4-6-23)

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 exceed the state qualifying score on the state board approved content area and pedagogy assessments. (4-6-23)

e. Renewal. 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. ()

02. {xe "Idaho Educator Credential: Standard Pupil Service Staff Certificate"}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 a Standard Pupil Service Staff Certificate with respective endorsements for which they qualify. (4-6-23)

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)

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 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. {xe "Idaho Educator Credential: Standard Administrator Certificate"}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)

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. {xe "Idaho Educator Credential: Career Technical Certification Requirements"}Career Technical Certification Requirements. Teachers of career technical courses or programs in secondary schools must hold an occupational specialist certificate and an endorsement in an appropriate occupational discipline. All occupational certificates must be approved by the Division of Career Technical Education regardless of the route an individual is pursuing to receive the certificate. (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. The renewal credits required in Section 060 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. (4-6-23)

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 and must meet the renewal requirements pursuant to Section 060 of these rules to renew. (4-6-23)

i. 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 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)

ii. 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 successful completion of a Division of Career Technical Education 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. (4-6-23)

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)

ii. 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

the three-year validity period of the interim certificate. (3-15-22)

iii. 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 and must meet the renewal requirements 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. (4-6-23)

iv. 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 and must meet the renewal requirements pursuant to Section 060 of these rules to renew. (4-6-23)

05. {xe "Idaho Educator Credential: Postsecondary Specialist Certificate"}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. {xe "Idaho Educator Credential: American Indian Tribal Language Certificate"}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. {xe "Idaho Educator Credential: Junior Reserved Officer Training Corps (Junior ROTC) Instructors"}Junior Reserved Officer Training Corps (Junior ROTC) Instructors. (3-15-22)

a. Junior ROTC Instructor Certificate. To be eligible for a five (5) year renewable Junior ROTC Instructor certificate, an applicant shall submit a complete application and provide a letter of recommendation from their hiring school district or public charter school and a copy of their certificate or letter of completion from an eopy

~~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.~~ **Interim Certificate – Junior ROTC Instructor.** A three (3) year interim certificate shall be issued to those who are enrolled in the Junior ROTC Instructor training program. The applicant shall submit a complete application, a letter of recommendation from their hiring school district or public charter school, and a copy of their Junior ROTC Instructor initial qualification letter issued by an armed forces Junior ROTC training program. () (3-15-22)

08. {xe "Idaho Educator Credential: Additional Renewal Requirements"}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. {XE "IDAHO INTERIM CERTIFICATE"}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 certification as prescribed herein. An interim certificate gives the holder the same rights and responsibilities as an individual with a standard certificate. (4-6-23)

01. {xe "Idaho Interim Certificate: Interim Certificate Not Renewable"}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~~ interim certificate to obtain a standard Idaho Educator Credential during the term of the interim certificate. () (3-15-22)

02. {xe "Idaho Interim Certificate: Non-Traditional Route to Teacher Certification"}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 Idaho evaluations with a summative rating of proficient or better. (4-6-23)

03. {xe "Idaho Interim Certificate: Idaho Comprehensive Literacy Course"}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. {xe "Idaho Interim Certificate: Teaching For Mathematical Thinking"}Teaching For Mathematical Thinking. All Idaho teachers or administrators with an interim certificate (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. () (4-6-23)

~~**05. Reinstatement of a Certificate Expired for One (1) Year or Less.** An individual with an Idaho certificate expired for one (1) year or less who did not meet the six (6)-credit renewal requirement may apply for reinstatement and be issued an interim certificate. During the validity period of the interim certificate, the applicant must complete any outstanding credits to meet the renewal requirement to be eligible for a five (5)-year renewable certificate. ()~~

~~**065. {xe "Idaho Interim Certificate: Reinstatement of Expired Certificate"}Reinstatement of Expired a Certificate Expired For Over One (1) Year.** An individual holding with an expired Idaho certificate expired for over one (1) year may apply for reinstatement and 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 be eligible for a five (5)-year renewable certificate: () (3-15-22)~~

~~a. Two (2) years of Idaho evaluations, as applicable to the type of certification, with a summative rating of proficient or better; (4-6-23)~~

~~b. Measured annual progress on specific goals identified on the applicant’s Individualized Professional Learning Plan; (3-15-22)~~

~~c. Completion of the six (6) credit renewal requirement; and () (4-6-23)~~

~~d. Completion of the Idaho Comprehensive Literacy Course or Teaching for Mathematical Thinking as provided herein. (3-15-22)~~

~~e. Individuals holding an expired certificate that was in good standing at the time the certificate expired, may have the certificate reinstated within one (1) year of the time the certificate expired by completing any outstanding professional development requirements that were pending at the time the certificate expired. (4-6-23)~~

076. {xe "Idaho Interim Certificate: Codes of Ethics"}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)

{{XE "INSTRUCTIONAL REQUIREMENTS"}BREAK IN CONTINUITY OF SECTIONS)

021. {XE "ENDORSEMENTS"}ENDORSEMENTS.

Holders of an Instructional Certificate or Occupational Specialist Certificate must have one (1) or more endorsements attached to their certificate as applicable to the type of certification. Instructional staff are eligible to teach in the grades and content areas of their endorsements. Idaho educator preparation programs shall prepare candidates for endorsements in accordance with these certification requirements and the standards approved by the board. 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 university. Statements must include the number of credits the competency evaluation is equivalent to. To add an endorsement to a certificate, an individual must complete the credit hour requirements as established by the state board of education and meet or exceed the state qualifying score on a board approved content, pedagogy or performance assessment. (4-6-23)

01. {xe "Endorsements: Clinical Experience Requirement"}Clinical Experience Requirement. All standard 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. (4-6-23)

02. {xe "Endorsements: Alternative Authorization - Teacher to New Endorsement"}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 on one (1) of the following options: (4-6-23)

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, A candidates may add an endorsement in that same content area to a valid instructional certificate. Successful completion of by successfully completing~~ a one (1) year, state board approved mentoring program ~~must be completed during within the first year to maintain the endorsement of authorization.~~ () (4-6-23)

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 two hundred (200) internship/externship hours in the career technical education endorsement area. (4-6-23)

03. {xe "Endorsements: National Board Certification"}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)

{{XE "INSTRUCTIONAL REQUIREMENTS"}BREAK IN CONTINUITY OF SECTIONS)

042. {XE "ALTERNATIVE AUTHORIZATION - CERTIFICATION"}ALTERNATIVE AUTHORIZATION.

Alternative authorization allows a local education agency 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 as prescribed in Subsection 021 of these rules. () (4-6-23)

01. {xe "Alternate Routes To Certification: Alternative Authorization -- Teacher to New Certification"}Alternative Authorization -- Teacher to New Certification. This alternative authorization allows a local education agency to request additional certification for a candidate who already holds a current Idaho certificate in good standing to add an additional type of certificate in a new certification area. (4-6-23)

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 continued eligibility for the interim certificate;~~ and (____)(4-6-23)

ii. The participating educator preparation program shall provide procedures to assess and credit equivalent knowledge, dispositions, and relevant life/work experiences toward program completion requirements. (4-6-23)

02. {xe "Alternate Routes To Certification: Alternative Authorization -- Content Specialist"} Alternative Authorization -- Content Specialist. This alternative authorization allows a local education agency to request an interim instructional certificate for an individual who possesses distinct content knowledge and skills to teach in a content area. (____)(4-6-23)

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)

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 continued eligibility;~~ (____)(4-6-23)

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, During the validity period of the interim certificate,~~ the candidate must ~~enroll in and work toward completion of complete~~ the plan. ~~The candidate must complete a minimum of nine (9) semester credits or equivalent annually to maintain eligibility for the interim certificate. The candidate must complete the plan to move to a standard instructional certificate. to receive an institutional recommendation for a standard instructional certificate.~~ (____)(4-6-23)

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. (4-6-23)

03. {xe "Alternate Routes To Certification: Alternative Authorization - Pupil Service

Staff"}Alternative Authorization - Pupil Service Staff. This alternative authorization allows a local education agency to request an interim certificate ~~certification and endorsement~~ for a candidate when a position requiring the Pupil Service Staff Certificate cannot be filled. () (4-6-23)

- 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. The number of required credits will be specified in a plan developed by the Educator Preparation Program; and ()~~

~~ii. During the validity period of the interim certificate, the candidate must complete the plan to receive an institutional recommendation for a standard pupil service staff certificate.~~

~~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 or university and the local education agency. The educator preparation program must include annual progress goals. (4-6-23)~~

~~ii. The candidate must complete a minimum of nine (9) semester credits or equivalent annually to maintain eligibility for the interim certificate. (4-6-23)~~

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)~~

{XE "INSTRUCTIONAL REQUIREMENTS"}BREAK IN CONTINUITY OF SECTIONS)

100. {XE "OFFICIAL VEHICLE FOR APPROVING EDUCATOR PREPARATION PROGRAMS"}OFFICIAL VEHICLE FOR APPROVING EDUCATOR PREPARATION PROGRAMS.

01. {xe "Official Vehicle For Approving Educator Preparation Programs: The Official Vehicle for the Approval of Traditional Educator Preparation Programs"}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. (4-6-23)

02. {xe "Official Vehicle For Approving Educator Preparation Programs: Non-Traditional Educator Preparation Program"}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)

03. {xe "Official Vehicle For Approving Educator Preparation Programs: Continuing Approval"}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)

~~04. — {xe "Official Vehicle For Approving Educator Preparation Programs: Payment Responsibilities for Educator Preparation Program Reviews"} 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)~~

(({XE "INSTRUCTIONAL REQUIREMENTS"})BREAK IN CONTINUITY OF SECTIONS)

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

SUBJECT

Proposed Rule – Docket No. 08.0113.2401, Rules Governing the Opportunity Scholarship

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 lowering 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.
August 2022	Board approved proposed rule Docket 08-0113-2201 in compliance with the Zero-Based Regulations requirements.
November 2022	Board approved pending rule Docket 08-0113-2201 in compliance with the Zero-Based Regulations requirements.
June 2023	Board approved temporary rule Docket 08-0113-2301, to update award deadlines to align with other scholarship programs.
August 2023	Board approved proposed rule Docket 08-0113-2302, accounting for future delays in FAFSA application and

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aligning dates to match awards with other statewide scholarships.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Code § 33-4303

Idaho Administrative Code, IDAPA 08.01.13, Rules Governing the Opportunity Scholarship

Idaho Code Title 67, Chapter 52, Idaho Administrative Procedures Act

BACKGROUND

Administrative rules promulgated under the Board's authority include IDAPA 08, IDAPA 55, and IDAPA 47.

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. Guidance for the rulemaking process is provided by the Office of Administrative Rules Coordinator, Division of Financial Management through the Idaho Rule Writer's Manual.

Executive Order 2020-01, Zero Based Regulations, created 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.

HB563 (2024) amended Section 67-5292, Idaho Code to establish an ongoing five year cycle for review of all administrative rules. The Office of the Administrative Rules Coordinator will publish a schedule of rule review prior to the expiration of Executive Order 2020-01. All administrative rules will be reviewed on the established schedule going forward.

DISCUSSION

Notice of Intent to Promulgate Rules regarding Docket No. 08-0113-2401 – IDAPA 08.01.13 Rules Governing the Opportunity Scholarship was published in the June 5, 2024 (Vol 24-6) Idaho Administrative Rules Bulletin.

HB500 and HB747 (2024) amended Idaho Code § 33-4303 which establishes the Opportunity Scholarship. IDAPA 08-0113 Rules Governing the Opportunity Scholarship must be amended to reflect the statutory changes. The changes reinstate community colleges as eligible recipients of Opportunity Scholarship funds and establish the number of credits hours scholarship recipients are required to successfully complete in a calendar year in order to renew their scholarship for a subsequent year at 30 credits.

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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Board staff have worked closely with the primary stakeholders to gather feedback on the proposed changes. The proposed amendments, drafted after feedback was gathered, are presented in Attachment 2.

IMPACT

If the State Board of Education approves the proposed rule, it will be submitted to the Division of Financial Management Office of the Administrative Rules Coordinator and will be published as a proposed rule.

A 21-day public feedback period follows the publication of proposed rules. During this time stakeholders and members of the public may provide additional feedback on the drafted text. Based on comments received during the feedback window 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 for final publication 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.

If the State Board of Education does not approve the proposed rule, the existing rule will remain in effect.

ATTACHMENTS

Attachment 1 – Notice of Intent to Promulgate Rules

Attachment 2 – Proposed Rule Docket No. 08.0113.2401, Rules Governing the Opportunity Scholarship

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval of proposed rule Docket Number 08.0113.2401, as presented in Attachment 2.

BOARD ACTION

I move to approve proposed rule – Docket Number 08.0113.2401, as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 08 – STATE BOARD OF EDUCATION

08.01.13 - RULES GOVERNING THE OPPORTUNITY SCHOLARSHIP PROGRAM

DOCKET NO. 08-0113-2401

{xe "Notice of Proposed Rule (No Public Hearings Scheduled)"} NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Article IX, Section 2, Idaho Constitution and under Sections 33-105, 33-4303, and 33-4304, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 16, 2024.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking: H500 and H747 (2024) amended Idaho Code § 33-4303. To remain compliant with the governing statute, IDAPA 08.01.13 must be revised to reflect several key changes. These changes include the following: updating the credit completion minimums for students seeking to renew an Opportunity Scholarship beyond the initial year of award; including a new initial eligibility requirement that restricts students from receiving both the Opportunity Scholarship and the Launch Grant simultaneously; and reinstating community colleges as eligible recipients of Opportunity Scholarship Funds.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 5, 2024 Idaho Administrative Bulletin, Volume 24-6, page.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 23, 2024.

DATED this 23rd day of August 2024.

Nicholas Wagner
Administrative Rules Coordinator Idaho State Board of Education 650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586, fax: (208)334-2632

08.01.13 – RULES GOVERNING THE OPPORTUNITY SCHOLARSHIP PROGRAM

(BREAK IN CONTINUITY OF SECTIONS)

101. ELIGIBILITY.

01. Academic Eligibility. To be eligible for an opportunity scholarship, an applicant must meet minimum academic eligibility criteria, as follows: (4-6-23)

a. A student who has not yet graduated from an eligible secondary school or its equivalent in the state of Idaho must have an unweighted 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 (4-6-23)

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 (4-6-23)

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. (4-6-23)

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. (4-6-23)

02. Financial Eligibility. The financial need of an applicant for an opportunity scholarship will be based upon the Student Aid Index, as identified by the free application for federal student aid (FAFSA) Submission Summary. (7-1-24)()

03. Additional Eligibility Requirements. (4-6-23)

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. (4-6-23)

b. If a student has attempted or completed more than one hundred and twenty (120) postsecondary credits, then such student must identify 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 credit received to the Board office. A student shall not be eligible for an opportunity scholarship if: (4-6-23)

i. The student has completed more than one hundred fifty percent (150%) of the courses and academic credit necessary to graduate in such major; or (4-6-23)

ii. Upon review of the student's academic transcript(s), the student cannot complete a degree/certificate in the major 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. (4-6-23)

102. -- 201. (RESERVED)

202. APPLICATION PROCESS.

01. Applications. An eligible student must complete and submit the opportunity scholarship program application to the Board electronically on or before the deadline set by the executive director each year. 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. The FAFSA must be completed on or prior to the application deadline unless federal delays prohibit an applicant from completing the FAFSA prior to the deadline. (7-1-24)

02. Announcement of Award. Announcement of the award of initial scholarships will be made no later than ~~December 31~~June 1 of each year, with awards to be effective at the beginning of the first full term of the next fiscal year. Announcements must clearly state the award is part of the state’s scholarship program and is funded through state appropriated funds. Additional award announcements may be made after this date based on the availability of funds. (7-1-24)()

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 scholarship unless extenuating circumstances are involved and approved by the executive director or designee. (4-6-23)

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: (4-6-23)

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 an application to the Board earlier in time will be assigned a higher rank. (4-6-23)

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. (4-6-23)

02. Monetary Value of the Opportunity Scholarship. (4-6-23)

a. 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: (4-6-23)

i. The amount of the assigned student responsibility, established by the Board annually; (4-6-23)

ii. The amount of federal grant aid, as identified by the FAFSA Submission Summary if known at the time of award determination; (7-1-24)

iii. The amount of other financial aid awarded the student, from private or other sources that is known at the time of award determination. (4-6-23)

iv. The eligible maximum award amount for Adult Learners enrolled in less than twenty-four (24) credit hours along with the requirements outlined in Section 302.1, or its equivalent in an academic year will be prorated as follows: (7-1-24)()

(1) Enrolled in six (6) to eight (8) credits or its equivalent per term - fifty percent (50%) of the maximum; (4-6-23)

(2) Enrolled in nine (9) to eleven (11) credits or its equivalent per term - seventy-five percent (75%) of the maximum; and (4-6-23)

(3) Enrolled in twelve (12) or more credits or its equivalent per term - one hundred percent (100%) of the maximum. (4-6-23)

b. The amount of an opportunity scholarship award to an individual student shall not exceed the actual cost of tuition and fees at the 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. (4-6-23)

c. The Board may determine monetary value without the FAFSA Submission Summary if the delay is due only to federal delay and may modify any final award or payment upon receipt of the FAFSA Submission Summary. (7-1-24)

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. (4-6-23)

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. (4-6-23)

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. (4-6-23)

~~04. **New Scholarships for Community College.** The Board may not award any new scholarship, excluding renewals, to any student attending community college on or after July 1, 2023. (7-1-24)~~

302. CONTINUING ELIGIBILITY.

01. **Requirements.** ~~For an eligible student that has previously received an opportunity scholarship award to renew such award for the next year, the eligible student shall maintain progress towards on-time degree completion so that such student is on schedule to obtain an associate degree within two (2) years or a baccalaureate degree within four (4) years from the time such student initially received an opportunity scholarship award. **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 and the scholarship recipient attending a two (2) year public postsecondary institution who accepted an award offer or renewed an award offer on or before June 30, 2023, 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. (7-1-24)(___)~~

~~02. **Renewal Application.** In order to be considered for a continuing scholarship for each succeeding year, a scholarship recipient must complete a renewal application by March 1. and update and submit the FAFSA on~~

~~or prior to March 1.~~ ()

032. 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), and must be maintaining satisfactory academic progress 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. (4-6-23)

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 thirty (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 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 thirty (30) days prior to the start of the succeeding academic year. (4-6-23)

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 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, is meeting the continued eligibility requirements as described in Section 302.01,~~ and has not exceeded the award eligibility terms. (4-6-23)()

02. Other Requirements. An eligible Idaho postsecondary educational institution must: (4-6-23)

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; (4-6-23)

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; (4-6-23)

c. Provide data on student enrollment and federal, state, and private financial aid for students to the Board within set timelines, and (4-6-23)

d. Agree to permit periodic Opportunity Scholarship Program audits to verify compliance with Idaho law and these rules related to the program. (4-6-23)

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 the adult learner evaluation process is that~~ an eligible institution will work with the student to develop a graduation plan for the program they are entering that includes

estimated completion dates.

(4-6-23)

(BREAK IN CONTINUITY OF SECTIONS)

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

SUBJECT

Proposed Rule – Docket No. 08-0401-2401 Rules of the Idaho Digital Learning Academy

REFERENCE

November 1, 2006	Board approved Pending Rule – Docket No. 08-0401- 0601, Idaho Digital Learning Academy
April 20-12, 2006	Board approved proposed rule amendment to IDAPA 08.04.01. Rules of the Idaho Digital Learning Academy
August 10, 2017	Board approved amendments including physical address technical corrections and updating provisions related to student work and ethical conduct.
November 15, 2017	Board approved Pending Rule Docket No. 08-0401-1701, Idaho Digital Learning Academy.
August 23, 2023	Board approved proposed rule amendments to include streamlining and simplification as necessitated by Executive Order 2020-01, Zero Based Regulation.
November 11, 2023	Board approved Pending Rule Docket No. 08-0401-2301, Idaho Digital Learning Academy.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho Code § 33-5501
Idaho Administrative Code, IDAPA 08.04.01 Rules of the Idaho Digital Learning Academy
Idaho Code Title 67, Chapter 52, Idaho Administrative Procedures Act

BACKGROUND

Administrative rules promulgated under the Board’s authority include IDAPA 08, IDAPA 55, and IDAPA 47.

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. Guidance for the rulemaking process is provided by the Office of Administrative Rules Coordinator, Division of Financial Management through the Idaho Rule Writer’s Manual.

Executive Order 2020-01, Zero Based Regulations, created 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.

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H563 (2024) amended Section 67-5292, Idaho Code to establish an ongoing five year cycle for review of all administrative rules. The Office of the Administrative Rules Coordinator will publish a schedule of rule review prior to the expiration of Executive Order 2020-01. All administrative rules will be reviewed on the established schedule going forward.

DISCUSSION

Notice of Intent to Promulgate Rules regarding Docket No. 08.0401.2401, Rules of the Idaho Digital Learning Academy, was published in the June 5, 2024 (Vol 24-6) Idaho Administrative Rules Bulletin.

The 2024 legislature reviewed 08.04.01 rule amendments. Concurrent resolutions HCR32 and SCR122 were not in alignment on a single point of revision and therefore none of the proposed amendments passed. Specifically, the House Education Committee rejected the proposed removal of language in subsection 102.03 requiring faculty to contact students within the first 24 hours of class. The Senate Education Committee did not reject this proposed amendment; however, as consensus was not achieved, all proposed amendments failed in 2024.

For the 2025 session, IDLA has requested to bring forward one of the amendments proposed in 2024 that was not contested, specifically, broadening the definition of the final course assessment. Historically, this assessment, through IDAPA, has only allowed for traditional tests. However, as assessment of content mastery can be evidenced in a variety of ways (portfolios, presentations, ect.), IDLA requests to broaden this definition thereby giving more flexibility to local education agencies and teachers in this process.

IMPACT

If the State Board of Education approves the proposed rule, it will be submitted to the Division of Financial Management Office of the Administrative Rules Coordinator and will be published as a proposed rule.

A 21-day public feedback period follows the publication of proposed rules. During this time stakeholders and members of the public may provide additional feedback on the drafted text. Based on comments received during the feedback window 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 for final publication 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.

If the State Board of Education does not approve the proposed rule, the existing rule will remain in effect.

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ATTACHMENTS

- Attachment 1 – Notice of Intent to Promulgate Rules
- Attachment 2 – Proposed Rule Docket No. 08.0401.2401- Rules of the Idaho Digital Learning Academy

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval of proposed rule Docket Number 08.0401.2401, as presented in Attachment 2.

BOARD ACTION

I move to approve Proposed Rule – Docket Number 08.0401.2401, as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

IDAPA 08 – STATE BOARD OF EDUCATION

08.04.01 – RULES OF THE IDAHO DIGITAL LEARNING ACADEMY

DOCKET NO. 08-0401-2401

**{xe "Notice of Proposed Rule (No Public Hearings Scheduled)"} NOTICE OF RULEMAKING -
PROPOSED RULE**

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under Sections 33-5504, 33-5505, 33-5507, and Chapter 55, Title 33, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 16, 2024.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking: The 2024 legislature reviewed 08.04.01 rule amendments. Concurrent resolutions HCR32 and SCR122 were not in alignment on a single point of revision and therefore none of the proposed amendments passed. Specifically, the House Education Committee rejected the proposed removal of language in subsection 102.03 requiring faculty to contact students within the first 24 hours of class. The Senate Education Committee did not reject this proposed amendment. All other proposed revisions were not contested by either germane committee. IDLA has requested to bring forward in 2025 the same proposed revisions, excluding the section that did not achieve consensus in 2024.

The proposed change will allow IDLA in collaboration with the local education agency (LEA) to determine comprehensive assessment requirements for their students enrolled in Idaho Digital Learning Academy (IDLA) courses. This proposed change reflects similar language in 08.04.01, Section 01 under Accountability recognizing the partnership between IDLA and the local school enrolling the student. The current language specifies a more traditional assessment. The proposed language will provide for a broader definition and allow for portfolios or other demonstrations of learning to serve as the final assessment when deemed appropriate by IDLA and the LEA. This minor adjustment to 08.04.01 recognizes the authority of LEAs. The adjustment to 08.04.01 does not increase regulation.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 5, 2024 Idaho Administrative Bulletin, Volume 24-6, page.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 23, 2024.

DATED this 23rd day of August 2024.

Nicholas Wagner

Administrative Rules Coordinator Idaho State Board of Education 650 W State St.

PO Box 83720

Boise, Idaho 83720-0037

Phone: (208)488-7586, fax: (208)334-2632

08.04.01 – RULES OF THE IDAHO DIGITAL LEARNING ACADEMY

(BREAK IN CONTINUITY OF SECTIONS)

102. ACCOUNTABILITY.

01. Exams. Each IDLA course will require the student to ~~take complete, at the discretion of the LEA,~~ either a comprehensive final exam at an approved site under proctored conditions or a comprehensive final project. (3-15-22)()

02. Student Work and Ethical Conduct. (3-15-22)

a. IDLA will inform students in writing of the consequences of plagiarism. The consequences for plagiarism are set out in the IDLA student handbook which is made available online at all times and is communicated to each student and parent prior to the beginning of each class. IDLA will investigate suspected cases of plagiarism and inform parents, students, and the local school district when a suspected case arises. (3-15-22)

b. Acceptable use and behavior in a distance-learning environment is determined by local school district’s policies IDLA students and parents will be informed by the IDLA AUP specifically governing behavior in an online school. IDLA will provide a copy of the IDLA AUP to the Idaho State Board of Education in the IDLA Annual Report. (3-15-22)

c. In a case of violation of the acceptable use policy or other disciplinary issues, IDLA will notify the local school district. The local school district is responsible for the appropriate disciplinary action. IDLA should be notified by the local school district of any disciplinary action resulting from a student’s participation in an IDLA course. (3-15-22)

d. The IDLA Director or designee reserves the right to deny disruptive students access to IDLA courses in the future or remove them from participating in an existing course. Appeals to the denial or removal from a course may be made in writing to the IDLA Board of Directors discussing the circumstances for removal or denial. The IDLA Board of Directors will review the appeal and hold a special board meeting to allow the student an opportunity to speak to the issue. The IDLA Board of Directors will issue a final decision within ten (10) days of the board meeting. (3-15-22)

03. Teacher Interaction. IDLA faculty are required to contact students within the first twenty-four (24) hours of class. Contact includes phone, e-mail, web conferencing, or other technological means. IDLA is required to submit periodic progress reports and final course percentages for individual students’ grades which are then reported to the local school district for transcription to the student’s academic record. (3-15-22)

(BREAK IN CONTINUITY OF SECTIONS)

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
AUGUST 21, 2024

SUBJECT

Educator Preparation Programs Performance Measures and Definition – Low Performing

REFERENCE

October 2016	Board was updated on progress made toward developing educator preparation program effectiveness/performance measures.
December 2016	Board approved the proposed measures for determining Educator Preparation Program Provider effectiveness.
February 2022	Board directed staff to bring back recommendations for new performance measures that were more meaningful.
December 2022	Board adopted EPP Performance Measure Report and Title II effectiveness designations and moved that new performance measures referenced in December would come back to the Board for consideration no later than the April 2023 Board meeting.

APPLICABLE STATUTE, RULE, OR POLICY

Higher Education Act of 1965, §207 (2008)
IDAPA 08.02.02.100

BACKGROUND

Annually, the Office of the State Board of Education (Board) certifies and submits Idaho's Title II report to the U.S. Department of Education (USDOE). The report includes data from public and private teacher preparation programs authorized by the State Board of Education to prepare individuals for certification in Idaho. On October 16, 2016, the USDOE released revised Title II requirements. The rule imposed new reporting measures—beyond the basics required for annual reports under the Higher Education Act—which identify levels of program effectiveness to drive continuous improvement.

The intent of the rule is to promote transparency about the effectiveness of all educator preparation providers (traditional, alternative routes, and distance) by requiring states to report annually—at the program level—on the following measures:

- Feedback from graduates and their employers on the effectiveness of program preparation; and
- Student learning outcomes measured by novice teachers' student growth, teacher evaluation results, and/or another state-determined measure that is relevant to students' outcomes, including academic performance, and meaningfully differentiates amongst teachers; and

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- Placement and retention rates of graduates in their first three years of teaching, including placement and retention in high-need schools; and
- Other program characteristics, including assurances that the program has specialized accreditation or graduate candidates with content and pedagogical knowledge, and quality clinical preparation, who have met rigorous exit requirements.

States are allowed flexibility in determining how to weigh all outcome measures but are required to categorize program effectiveness using at least three levels of performance (effective, at-risk, and low performing) annually. These federal requirements are designed to facilitate ongoing feedback amongst programs, prospective teachers, schools and districts, states and the public.

In early 2013, while the proposed Title II (Higher Education Act) rule was moving through the process of negotiated rulemaking at the federal level, representatives from Idaho's educator preparation programs met with Board staff to develop common assessments and create consistency in measuring program outcomes. The Idaho measures were shaped in alignment with the proposed federal rule and, as a result, the rubric developed by Board staff with feedback from the educator preparation programs was approved by the Board at the December 2016 regular Board meeting. Since that time, the Board-approved educator preparation programs have struggled to provide the data necessary to complete the annual report. As a result, Board staff have worked with all of the Board-approved educator preparation programs, both traditional and non-traditional to develop a new rubric that can be used to fairly rate all programs in compliance with the Title II requirements.

Work on the performance measures was resumed as the Board office returned to full staffing in the summer of 2021. Significant issues with the performance measures were revealed in the process of preparing the report that was presented at the February 2021 Regular Board meeting. These included a lack of data uniformity among Educator Preparation Programs, substantial unavailable/missing data, concerns about the validity of certain measures, and major changes to relevant standards and statute since the original development and adoption of the rubric.

In December 2022, Board staff started working with a group composed of a representative from each Educator Preparation Program. The group was tasked with providing feedback on the proposed performance measures in the hope that consensus could be reached. These representatives were from public, non-public, and non-traditional Educator Preparation Programs. The group met four times: 12/5/2022, 12/19/2022, 1/9/2023, 3/10/2023.

On May 18, 2023, a work group that consisted of the State Board President, Superintendent Critchfield, Division of Career Technical Education staff, practitioners from the K-12 field in Idaho, and faculty from the Educator Preparation

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Programs were brought together to create new Annual Performance Measures. The previous Annual Performance Measures work was reviewed. Seven Educator Preparation Providers worked together to bring forward four Annual Performance Measures for the work group to review and discuss. With some minor changes, the work group came to consensus on the measures.

However, as October 2023 was a baseline year for these measures, the Board opted to hold institutions harmless.

DISCUSSION

In review of the data for the new educator preparation provider annual performance measures from 2023 and 2024, it was determined that two of the benchmarks needed to be amended to more appropriately determine educator preparation provider program effectiveness. The benchmarks established for these measures are based on reaching goals. However, the purpose of the report is to determine the threshold below which an institution is considered low performing. As these purposes are at odds, the benchmarks for two measures must be reevaluated.

The following changes are recommended:

- Completer Effectiveness on Professional Practice
 - Change from 95% to 90%
- Persistence in an Idaho Local Education Agency
 - Chance from 80% to 70%

IMPACT

If the Board approves the performance measures recommended, as outlined in Attachment 1, the new performance measures will be used for the Annual Performance Measures Report that will be completed every October along with Title II reporting that is completed every October.

ATTACHMENTS

- Attachment 1 – Idaho’s Annual Educator Preparation Program Performance Measures (for Title II Reporting) – Clean Copy
- Attachment 2 – Idaho’s Annual Educator Preparation Program Performance Measures (for Title II Reporting) - Redline
- Attachment 3 – Draft of 2024 Report – For Reference.

STAFF COMMENTS AND RECOMMENDATIONS

Board staff recommends approval of the proposed amendments to performance measure benchmarks as submitted in Attachment 1.

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BOARD ACTION

I move to approve the proposed amended benchmarks for the educator preparation provider annual performance measures for determining Educator Preparation Provider program effectiveness, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Annual Performance Measures for Reporting on Educator Preparation Program Performance

Indicator	Performance Measure	Benchmark	Indicator Points	Data Source
Pedagogical Knowledge	The percentage of candidates who, at exit of program, passed the Common Summative Assessment (Idaho Framework for Teaching Evaluation) at a basic or better in all 22 components.	90%	> 90% = 25 points 80% - 89.9% = 15 points < 70% = 0 points	State and EPP Provided
Content Knowledge	The percentage of overall completer pass rate of Idaho State Board Approved content assessment for which the EPP has at least ten candidates complete the assessment during the academic year.	80%	>80% = 25 points 79% = 24 points 78% = 23 points ... < 64% = 0 points	State and EPP provided
Completer Effectiveness on Professional Practice	The percentage of teachers of record and completers who signed an Idaho teaching contract in their first year after completion were eligible for and obtained the Idaho Professional Endorsement.	90%	>90% = 25 Points 80% = 20 Points 70% = 15 Points 60% = 10 Points 50% = 5 Points <49% = 0 Points	State provided
Persistence in an Idaho Local Education Agency	The percentage of teachers of record and completers who signed an Idaho teaching contract in their first year after completion working full-time in an Idaho Local Education Agency who persist for three years.	70%	>70% = 25 Points 60% = 20 Points 50% = 15 Points 40% = 10 Points 30% = 5 Points <29% = 0 Points	State provided

Scoring:

70-100 Points = Effective EPP

60-69 Points = At-risk EPP

0-59 Points = Ineffective EPP

Annual Performance Measures for Reporting on Educator Preparation Program Performance

Indicator	Performance Measure	Benchmark	Indicator Points	Data Source
Pedagogical Knowledge	The percentage of candidates who, at exit of program, passed the Common Summative Assessment (Idaho Framework for Teaching Evaluation) at a basic or better in all 22 components.	90%	> 90% = 25 points 80% - 89.9% = 15 points < 70% = 0 points	State and EPP Provided
Content Knowledge	The percentage of overall completer pass rate of Idaho State Board Approved content assessment for which the EPP has at least ten candidates complete the assessment during the academic year.	80%	>80% = 25 points 79% = 24 points 78% = 23 points ... < 64% = 0 points	State and EPP provided
Completer Effectiveness on Professional Practice	The percentage of teachers of record and completers who signed an Idaho teaching contract in their first year after completion were eligible for and obtained the Idaho Professional Endorsement.	95% 90%	> 95% 90% = 25 points 80% = 20 Points 70% = 15 Points 60% = 10 Points 50% = 5 Points <49% = 0 Points 94% = 24 points 93% = 23 points ... < 69% = 0 points	State provided
Persistence in an Idaho Local Education Agency	The percentage of teachers of record and completers who signed an Idaho teaching contract in their first year after completion working full-time in an Idaho Local Education Agency who persist for three years.	80% 70%	> 80% 70% = 25 points 75% = 20 points 70% = 15 points 65% = 10 points 30% = 5 Points < 50% = 0 points	State provided

Scoring:

~~80~~70-100 Points = Effective EPP

~~70~~60-~~79~~69 Points = At-risk EPP

0-~~69~~59 Points = Ineffective EPP





Annual Educator Preparation Provider Performance Measures Report

The Idaho State Board of Education approved annual performance measures to identify institutions at risk of becoming low-performing or low-performing as indicated in [Title II of the Higher Education Opportunity Act](#).

Annual Educator Preparation Provider Performance Measures Report

Performance Measure	Traditional Programs							Non-Traditional Programs		
	BSU	BYUI	CofI	ISU	LCSC	NNU	UI	ABCTE	CSI	TFA
Measure 1 %							100%	99%	97%	90%
Points							25	25	25	25
Measure 2 %	99%	94%	80%	93%	98%	100%	97%	98%	88%	100%
Points	25	25	25	25	25	25	25	25	25	25
Measure 3 %	99%	98%	100%	96%	100%	100%	100%	92%	98%	67%
Points	25	25	25	25	25	25	25	25	25	10
Measure 4 %	80%	60%	100%	79%	87%	73%	73%	88%	74%	42%
Points	25	20	25	25	25	25	25	25	25	10
Total Points							100	100	100	70
Scoring							Effective	Effective	Effective	Effective

Performance Measures:

- Measure 1:
Pedagogical Knowledge
- Measure 2:
Content Knowledge
- Measure 3:
Completer Effectiveness on Professional Practice
- Measure 4:
Persistence in an Idaho Local Education Agency

Total Points/Scoring:

- **Scoring: Effective EPP**
○ Total Points: 70-100 Points
- **Scoring: At Risk EPP**
○ Total Points: 60-69 Points
- **Scoring: Low Performing EPP**
○ Total Points: 0-59 Points

Key:

- BSU: Boise State University
- BYUI: Brigham Young University – Idaho
- CofI: College of Idaho
- ISU: Idaho State University
- LCSC: Lewis-Clark State College
- NNU: Northwest Nazarene University
- UI: University of Idaho
- ABCTE: American Board
- CSI: College of Southern Idaho
- TFA: Teach for America

Description of the Annual Educator Preparation Provider Performance Measures

Annual Performance Measure 1: Pedagogical Knowledge	Annual Performance Measure 2: Content Knowledge	Annual Performance Measure 3: Completer Effectiveness on Professional Practice	Annual Performance Measure 4: Persistence in an Idaho Local Education Agency
<u>Description:</u> The percentage of candidates who, at exit of program, passed the Common Summative Assessment (Idaho Framework for Teaching Evaluation) at a basic or better in all twenty-two components.	<u>Description:</u> The percentage of overall completer pass rate of Idaho State Board Approved content assessment for which the EPP has at least ten candidates complete the assessment during the academic year.	<u>Description:</u> The percentage of teachers of record and completers who signed an Idaho teaching contract in their first year after completion were eligible for and obtained the Idaho Professional Endorsement.	<u>Description:</u> The percentage of teachers of record and completers who signed an Idaho teaching contract in their first year after completion working full-time in an Idaho Local Education Agency who persist for three years.
<u>Benchmark:</u> 90%	<u>Benchmark:</u> 80%	<u>Benchmark:</u> 90%	<u>Benchmark:</u> 70%
<u>Data Used:</u> 2023-2024 data provided by EPPs.	<u>Data Used:</u> 2022-2023 data provided by ETS Reporting.	<u>Data Used:</u> 2020-2021 completer data from Title II reporting matched to data reported in the Career Ladder Data System.	<u>Data Used:</u> 2020-2021 completer data from Title II reporting matched to data reported in the Career Ladder Data System.



Annual Educator Preparation Provider Performance Measures Report

Appendix A

Annual Educator Preparation Provider Annual Performance Measures Rubric

Indicator	Performance Measure	Benchmark	Indicator Points	Data Source
Pedagogical Knowledge	The percentage of candidates who, at exit of program, passed the Common Summative Assessment (Idaho Framework for Teaching Evaluation) at a basic or better in all 22 components.	90%	> 90% = 25 points 80% - 89.9% = 15 points < 70% = 0 points	State and EPP Provided
Content Knowledge	The percentage of overall completer pass rate of Idaho State Board Approved content assessment for which the EPP has at least ten candidates complete the assessment during the academic year.	80%	>80% = 25 points 79% = 24 points 78% = 23 points ... < 64% = 0 points	State and EPP provided
Completer Effectiveness on Professional Practice	The percentage of teachers of record and completers who signed an Idaho teaching contract in their first year after completion were eligible for and obtained the Idaho Professional Endorsement.	90%	>90% = 25 Points 80% = 20 Points 70% = 15 Points 60% = 10 Points 50% = 5 Points <49% = 0 Points	State provided
Persistence in an Idaho Local Education Agency	The percentage of teachers of record and completers who signed an Idaho teaching contract in their first year after completion working full-time in an Idaho Local Education Agency who persist for three years.	70%	>70% = 25 Points 60% = 20 Points 50% = 15 Points 40% = 10 Points 30% = 5 Points <29% = 0 Points	State provided

Total Points/Scoring:

- 70-100 Points = Effective EPP
- 60-69 Points = At Risk of Low Performing EPP
- 0-59 Points = Low Performing EPP

**Section 207 of Title II reporting requirements mandate that the U.S. Secretary of Education collect data on standards for teacher certification and licensure, as well as data on the performance of teacher preparation programs. The law requires the Secretary to use these data in submitting its annual report on the quality of teacher preparation to Congress. In addition, states were required to develop criteria, procedures, and processes from which institutions at-risk of becoming low-performing and low-performing institutions could be identified. The following statement is an excerpt from the Title II "Reporting Reference User Manual for Preparing State and Institutional Reports on the Quality of Teacher Preparation," February, 2017:*

To receive funds under this act, a state, not later than two years after the date of Enactment of the Higher Education Amendments of 1998, shall have in place a procedure to identify, and assist, through the provision of technical assistance, low-performing programs of teacher preparation within institutions of higher education. Such state shall provide the U.S. Secretary an annual list of such low-performing institutions that includes an identification of those institutions at-risk of being placed on such list. Such levels of performance shall be determined solely by the state and may include criteria based upon information collected pursuant to this title. Such assessment shall be described in the report under section 207(b)