

**STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017**

TAB	DESCRIPTION	ACTION
1	SUPERINTENDENT'S UPDATE	Information Item
2	EMERGENCY PROVISIONAL CERTIFICATE	Motion to Approve
3	PROPOSED RULE, DOCKET NO. 08-0203-1702 – HIGH SCHOOL GRADUATION REQUIREMENT, COLLEGE ENTRANCE EXAM	Motion to Approve
4	PROPOSED RULE, IDAPA 08.02.03.004, INCORPORATED BY REFERENCE - ALTERNATE ASSESSMENT ACHIEVEMENT STANDARDS	Motion to Approve
5	HARDSHIP STATUS – ALBION SCHOOL, CASSIA COUNTY SCHOOL DISTRICT NO. 151	Information Item

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STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017

SUBJECT

Superintendent of Public Instruction update to the State Board of Education

BACKGROUND/DISCUSSION

Superintendent of Public Instruction, Sherri Ybarra, will provide updates on State Department of Education activities, including:

- Mastery based education – schools and plans
- Student licenses with Microsoft and Adobe: future considerations regarding middle schools
- Statewide testing – issues and scores
- Update on rollout of new Idaho Reading Indicator (IRI)
- Advanced Opportunities – numbers/class interest/costs
- Science – update on standards review and science assessment
- Bias and Sensitivity Committee Update

BOARD ACTION

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

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**STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017**

SUBJECT

Emergency Provisional Certificate

REFERENCE

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

APPLICABLE STATUTE, RULE, OR POLICY

Sections 33-1201 and 33-1203, Idaho Code

BACKGROUND/DISCUSSION

One (1) emergency provisional application was received by the State Department of Education from the school district listed below. Emergency provisional applications allow a district/charter to request one-year emergency certification for a candidate who does not hold a current Idaho certificate/credential, but who has the strong content background and some educational pedagogy, to fill an area of need that requires certification/endorsement. While the candidate is under emergency provisional certification, no financial penalties will be assessed to the hiring district.

West Bonner County School District #083

Applicant Name: Smiley-Rundgren, Linda

Content & Grade Range: All Subjects K/8

Educational Level: BA, Liberal Studies – Elementary Education, 1997

Declared Emergency: September 21, 2016, West Bonner School District Board of Trustees declared an area of need exists for the 2016-2017 school year.

Summary of Recruitment Efforts: The position was posted for several weeks. Current employees and applicants were considered. Ms. Smiley-Rundgren was the only applicant, and she had previous teaching experience in the elementary setting. She is currently pending a reinstatement of her California certificate.

PSC Review: Will complete after the the PSC meeting on June 8-9th, 2017.

IMPACT

If the emergency provisional certificate is not approved, the school district will have no certificated staff to serve in the classroom and funding could be impacted.

STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017

STAFF COMMENTS AND RECOMMENDATIONS

Pursuant to Section 33-1201, Idaho Code “every person who is employed to serve in any elementary or secondary school in the capacity of teacher, supervisor, administrator, education specialist, school nurse or school librarian shall be required to have and to hold a certificate issued under the authority of the State Board of Education....” Section 33-1203, Idaho Code, prohibits the Board from authorizing standard certificates to individuals who have less than four (4) years of accredited college training except in occupational fields or emergency situations. When an emergency is declared, the Board is authorized to grant one-year provisional certificates based on not less than two (2) years of college training. Section 33-512, Idaho Code, defines substitute teachers as “as any individual who temporarily replaces a certificated classroom educator...” Neither Idaho Code, nor administrative rule, limits the amount of time a substitute teacher may be employed to cover a classroom. In some cases, school districts may use an individual as a long-term substitute prior to requesting provisional certification for the individual.

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

BOARD ACTION

I move to approve a one-year emergency provisional certificate for Linda Smiley-Rundgren to teach All Subjects Kindergarten through grade eight (8) in the West Bonner County School District #083 during the 2016-2017 school year.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017

SUBJECT

Proposed Rule – Docket No. 08-0203-1702, Rules Governing Thoroughness, College Entrance Examination

REFERENCE

August 2013	The Board approved removal of the ACCUPLACER as an acceptable college entrance examination from IDAPA 08.02.03.105, High School Graduation Requirements.
August 2015	The Board approved removal of the Compass exam as an acceptable college entrance examination for students graduating after 2017 from IDAPA 08.02.03.105, High School Graduation Requirements.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105 and 33-1612, Idaho Code
IDAPA 08.02.03.105.03, High School Graduation Requirements, College Entrance Examination

BACKGROUND/DISCUSSION

According to IDAPA 08.02.03.105.03, a student must take a college entrance exam (SAT or ACT) before the end of their eleventh grade year to meet graduation requirements. A rule change effective March 2016 had removed the Compass assessment as an option to meet the requirement for students graduating after 2017. The final administration of the Compass assessment was on November 1, 2016, which potentially impacts students graduating in 2018. This proposed rule change will allow students who took the Compass exam prior to its final administration to meet the college entrance exam (CEE) graduation requirement.

Other changes in this proposed rule were initiated after inquiries from school counselors and principals identified challenges in implementing the current rule while meeting the individual and unique needs of students to ensure they meet the state minimum graduation requirements. School staff regularly sought flexibility in the rule to address students' specific circumstances. The proposed changes seek to provide clarification for schools and flexibility to students.

The rule change clarifies when a student with disabilities can be exempted from the CEE requirement. The rule currently allows Individualized Education Program (IEP) teams to exempt a student if assessment accommodations result in a non-reportable college score. The proposed rule change will clarify that students who meet alternate assessment eligibility criteria may be exempted from the CEE requirement. IEP teams will also be able to consider the ACCUPLACER Placement Assessment, published by the College Board, as an acceptable CEE for students with disabilities to meet the CEE graduation requirement.

STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017

Finally, to accommodate a variety of circumstances preventing students from completing the CEE, a form provided by the Department will be available for school counselors or administrators to submit exemption requests. This form will allow schools to present an alternative test an individual student would take in lieu of the ACT or SAT or provide explanation of extenuating circumstances prohibiting a student from meeting the CEE requirement. The request will be reviewed and approved by the Superintendent of Public Instruction or the Superintendent's designee.

A Notice of Intent to Promulgate Rules was published in the April 5, 2017, edition of the Administrative Bulletin. Six (6) public meetings were held across the state between April 11 and 20, 2017, during which any member of the public could provide verbal or written feedback on the suggested amendments to the rule. No comments were received during the public meetings. Five (5) written comments in favor of the suggested amendments were received through the Department's public comment online submission form.

IMPACT

The passage of this proposed rule will allow students who participated in the Compass assessment on or before its final administration to meet the CEE graduation requirement. The rule will also provide students with disabilities receiving services to use the ACCUPLACER Placement Assessment when more appropriate for the student. Students with extenuating circumstances who are unable to participate in one of the currently approved college entrance exams, will have an opportunity to request the Superintendent approve the use of other assessments or be exempt from the CEE requirement.

ATTACHMENTS

Attachment 1 – Proposed Rule, Docket No. 08-0203-1702 –
College Entrance Examination

Page 5

STAFF COMMENTS AND RECOMMENDATIONS

At the August 2013 Board meeting the Board approved the removal of the Accuplacer as an eligible assessment for meeting the college entrance exam graduation requirement. The Board found that during the first year of the implementation of the college entrance exam requirement some alternative schools had their students take the Accuplacer assessment without giving them the choice or encouragement to try the SAT or ACT. Department staff at that time (2013) reported that the reasons behind this was that the school district staff did not believe the students would “go-on” to postsecondary education, therefore there was no need for them to take the SAT or ACT. The original purpose of the college entrance exam requirement was to show students who would not normally or voluntarily take a college entrance exam that they were capable of doing well on the exam, additionally, any areas of weakness could also be addressed during their senior year. The proposed amendment to subsection 105.03.a. would allow students on an individualized education plan to use the

STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017

Accuplacer placement exam to meet the college entrance exam requirement. The current rule allows students enrolled in a special education program with an individual education plan that specifies the student would need accommodations that would result in a non-reportable score on the assessment may choose to be exempt from the college entrance exam requirement. The new language would allow students who were on an individualized education plan but did not meet the level of accommodations necessary for the exemption to take the Accuplacer in place of the SAT or ACT. The proposed changes to subsection 105.03.b (new subsection c.) would limit the existing exemption to those students receiving special education services through an individual education plan who have a plan that indicates they meet the requirements to take the ISAT-Alternate Assessment. The Alternate Assessment is available to those students with the most significant, cognitive disabilities for whom the general assessment is not appropriate.

At the August 2015 Board meeting the Board approved a proposed rule eliminating the Compass exam as an option for meeting the college entrance exam high school graduation requirement after the 2016-2017 school year. At that time it had been announced that the Compass was being discontinued and would not be available in the spring of 2017 when students normally take the exam, making the 2015-2016 school year the final year when the exam would be available for the entire school year. Board staff worked with the Department's Assessment staff at that time to make sure school districts were notified of the change. Due to a subsequent change in staffing at the Department level, not all school districts were notified that the Compass was no longer an eligible assessment for meeting the graduation requirement during the 2016-2017 school year, and some school districts had students take the assessment in the fall, not realizing, that it no longer met the graduation requirement. The proposed amendment regarding the Compass exam will allow for those students, who will not be graduating until the 2017-2018 school year to use the Compass exam to meet the graduation requirement.

The proposed addition of subsection 105.3.d. would allow school district to apply to the Superintendent of Public Instruction or their designee to take a different college entrance exam or college placement exam than those allowed in the rule or to exempt the student completely from the requirement at their discretion.

BOARD ACTION

I move to approve Proposed Rule Docket No. 08-0203-1702, Rules Governing Thoroughness – High School Graduation Requirements, College Entrance Examination, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017

SUBJECT

Proposed Rule - IDAPA 08.02.03.004. Rules Governing Thoroughness, Idaho Alternate Assessment Achievement Standards

REFERENCE

May 2011	Board approved the Idaho Alternate Assessment Achievement Standards.
September 2015	Board approved a temporary rule amending the Alternate Assessment Achievement Standards and the performance level descriptions for the Idaho Alternate Assessment Achievement Assessment.
October 2016	Board approved a temporary rule extending the Alternate Assessment Achievement Standards and the performance level descriptions for the Idaho Alternate Assessment Achievement Assessment.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-105, 33-1612 and 33-2002, Idaho Code
IDAPA 08.02.03.004.06

BACKGROUND/DISCUSSION

In 2011, Idaho joined the National Center and State Collaborative (NCSC), a project led by 24 states and five (5) centers to develop an alternate assessment based on alternate achievement standards for students with the most significant cognitive disabilities. The alternate assessment was developed to ensure that all students with significant cognitive disabilities are able to participate in an assessment that is a measure of their knowledge of the grade-level Idaho Content Standards.

The adoption of the NCSC recommended standards was first approved by the Board in May 2011, and amendments were approved in temporary rule by the Board in September 2015, and again in October 2016. This proposed rule will make the alternate assessment achievement standards (cut scores) permanent.

IMPACT

This proposed rule is necessary to comply with the Individuals with Disabilities Act, the Elementary and Secondary Education Act, and the Every Student Succeeds Act.

ATTACHMENTS

Attachment 1 – Proposed change to IDAPA 08.02.03.004.06	Page 3
Attachment 2 – Idaho Alternate Assessment Achievement Standards, Performance Level Descriptors	Page 5

**STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017**

STAFF COMMENTS AND RECOMMENDATIONS

The temporary rule approved by the Board in September 2015 expired at the end of the 2016 legislative session, converting the Idaho Alternate Assessment Achievement Standards to those approved by the Board May 18, 2011. These standards are no longer in alignment with Idaho's alternate standards achievement test, commonly referred to as the ISAT-Alt and referenced as the Idaho Alternate Assessment in IDAPA 08.02.03.111. The Board was asked to approve a new temporary rule incorporating the Alternate Assessment Achievement Standards approved by the Board at the September 2015 Board meeting into a new temporary rule in October of 2016. Due to the state deadlines regarding the submittal of proposed rules, the Board could not consider a temporary and proposed rule at that time. The rule approved by the Board in October of 2016 was extended during the 2017 legislative session, allowing it to remain in place until the legislature adjourns at the end of the 2018 legislative session. The extension makes it unnecessary for the Board to consider a new temporary rule, allowing this rule to come forward as a proposed rule. In addition to the negotiated rulemaking process that is conducted prior to the drafting of proposed rules, proposed rules approved by the Board are published in the Administrative Bulletin and are required to have a 21 day public comment period. Following the close of the public comment period the Department will bring back the rule as a pending rule. If approved by the Board the pending rule will be forwarded to the legislature for consideration. If accepted by the legislature the rule will go into effect at the end of the 2018 legislative session, at the same time the extended temporary rule expires.

The alternative assessment is available to Idaho students who, based on the students' individualized education plan, are determined to be unable to take the Idaho Standards Achievement Test with or without accommodations or adaptations. These students are the ones with the most significant cognitive disabilities for whom the standard assessment is not appropriate.

BOARD ACTION

I move to approve the Idaho Alternate Assessment Achievement Standards as submitted in Attachment 2.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

I move to approve the proposed rule amending IDAPA 08.02.03.004.06, Rules Governing Thoroughness, Incorporation by Reference, Idaho Alternate Assessment Achievement Standards, as submitted in Attachment 1.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017

SUBJECT

Annual Report - Hardship Elementary School - Cassia County School District No. 151, Albion Elementary School.

REFERENCE

October 14, 2010	The Board received an update regarding Albion Elementary School and their continued need for Hardship Status.
June 18, 2015	The Board received an update regarding Albion Elementary School and their continued need for Hardship Status.

APPLICABLE STATUTE, RULE, OR POLICY

Section 33-1003(2)(b), Idaho Code

BACKGROUND/DISCUSSION

At the October 1999 meeting, the State Board of Education approved the request by Cassia County School District #151 for Albion Elementary School to be designated as a hardship elementary school for one year, and required an annual report. However, the 2000 Legislature amended Section 33-1003(2)(b), Idaho Code, by adding, "An elementary school operating as a previously approved hardship elementary school shall continue to be considered as a separate attendance unit, unless the hardship status of the elementary school is rescinded by the state board of education." Therefore, no action is required unless the State Board of Education chooses to rescind the hardship status. Conditions supporting the October 1999 decision to approve the Albion Elementary School as a Hardship Elementary School have not changed.

IMPACT

Cassia County School District #151 would receive approximately \$130,000 less in FY 2017 if Albion Elementary School was not considered a separate school.

ATTACHMENTS

Attachment 1 – Letter from Gaylen Smyer to Superintendent
Sherri Ybarra dated May 4, 2016 [sic]

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

Pursuant to Section 33-1003, Idaho Code, the State Board of Education is authorized to grant an elementary school(s) status as a separate attendance unit, for the purposes of calculating average daily attendance, when "special conditions exist warranting the retention of the school as a separate attendance unit and the retention results in a substantial increase in cost per pupil in average daily attendance above the average cost per pupil in average daily attendance of the remainder of the district's elementary grade school pupils."

STATE DEPARTMENT OF EDUCATION
JUNE 15, 2017

Average daily attendance (ADA) calculations are used to determine the number of support units a school district has, which then in turn impacts the amount of funds the school district receives from the state for salary and benefit apportionment and discretionary funds. The average daily attendance calculation is variable based on the number of students a school district has in a specific grade range. As an example, a school district with an elementary school with 170 ADA has an attendance divisor of 20, resulting in 8.5 support units and a hardship school with 18 ADA, has an attendance divisor of 12 resulting in 1.5 support units. The school district would then receive 10 support units for its elementary school students. Using this same example for a school district that does not have a hardship school, the district would have 188 ADA, with a divisor of 20 resulting in 9.4 support units for the school district's elementary students. At \$94,100 (FY17 estimated statewide average) per support unit, the school district in the first example would receive \$941,000 while the school district in the second example would receive \$884,540. These numbers are used for the purposes of providing an example and are not the numbers for any specific school district.

BOARD ACTION

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