

Dear Senators LENT, Toews, Ward-Engelking, and  
Representatives YAMAMOTO, McCann, Berch:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the  
Division of Career Technical Education:

IDAPA 55.01.03 - Rules of Career Technical Schools (ZBR Chapter Rewrite) - Proposed Rule  
(Docket No. 55-0103-2301);

IDAPA 55.01.04 - Rules Governing Idaho Quality Program Standards Incentive Grants and  
Agricultural Education Program Start-Up Grants (ZBR Chapter Rewrite) - Proposed  
Rule (Docket No. 55-0104-2301).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 11/06/2023. If a meeting is  
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis  
from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/04/2023.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the  
memorandum attached below.



**Terri Kondeff**  
Director

# Legislative Services Office

## Idaho State Legislature

*Serving Idaho's Citizen Legislature*

### MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Education Committee and the House Education Committee

**FROM:** Legislative Drafting Attorney - Trevor Ahrens

**DATE:** October 17, 2023

**SUBJECT:** Division of Career Technical Education

IDAPA 55.01.03 - Rules of Career Technical Schools (ZBR Chapter Rewrite) - Proposed Rule (Docket No. 55-0103-2301)

IDAPA 55.01.04 - Rules Governing Idaho Quality Program Standards Incentive Grants and Agricultural Education Program Start-Up Grants (ZBR Chapter Rewrite) - Proposed Rule (Docket No. 55-0104-2301)

#### **Summary and Stated Reasons for the Rule**

The State Board of Career Technical Education submits notice of proposed rulemaking relating to the rules of career technical schools and the rules governing Idaho quality program standards incentive grants and agricultural education program start-up grants. Docket No. 55-0103-2301 aims to improve and simplify the chapter regarding career technical schools. Docket No. 55-0104-2301 aims to improve and simplify the chapter regarding the rules governing Idaho quality program standards incentive grants and agricultural education program start-up grants.

#### **Negotiated Rulemaking / Fiscal Impact**

The agency states that negotiated rulemaking was conducted for both dockets. The notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 2023 Idaho Administrative Bulletin. No fiscal impact is expected under either docket.

#### **Statutory Authority**

The proposed rules in Docket No. 55-0103-2301 appears to be within the agency's statutory authority pursuant to Article IX, Section 2 of the Idaho Constitution and under sections 33-101, 33-105, 33-107, 33-1002G, 33-1629, 33-2202, 33-2207, and 33-2211 Idaho Code. The proposed rules in Docket No. 55-0104-2301 appears to be within the agency's statutory authority pursuant to Article IX, Section 2 of the Idaho constitution and under sections 33-1629, Idaho Code.

cc: Division of Career Technical Education  
Nicholas Wagner

Paul Headlee, Deputy Director    Matt Drake, Manager    Keith Bybee, Manager    April Renfro, Manager    Norma Clark, Manager  
Legislative Services Office    Research & Legislation    Budget & Policy Analysis    Legislative Audits    Information Technology

Statehouse, P.O. Box 83720  
Boise, Idaho 83720-0054

Tel: 208-334-2475  
legislature.idaho.gov

**\*\*\* PLEASE NOTE \*\*\***

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

# **IDAPA 55 – STATE BOARD OF CAREER TECHNICAL EDUCATION**

## **55.01.03 – RULES OF CAREER TECHNICAL SCHOOLS**

### **DOCKET NO. 55-0103-2301 (ZBR CHAPTER REWRITE)**

#### **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 33-101, 33-105, 33-107, 33-1002G, 33-1629, 33-2202, 33-2207, and 33-2211 in 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 18, 2023.

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: In accordance with [Executive Order 2020-01](#), this rulemaking will be a review of the chapter for evaluation on how it can be improved, simplified, and streamlined.

**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 as a result of this rulemaking: None

**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 2023 Idaho Administrative Bulletin, [Volume 23-6, page 86](#).

**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@osbe.idaho.gov](mailto:rules@osbe.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 25, 2023.

DATED this 25th day of August, 2023.

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

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 55-0103-2301  
(ZBR Chapter Rewrite)**

55.01.03 – RULES OF CAREER TECHNICAL ~~SCHOOLS~~ CENTERS

000. LEGAL AUTHORITY.

~~The State Board of Education is designated as the State Board for Career Technical Education and is responsible to execute the laws of the state of Idaho relative to career technical education, administer state and federal funds, and through the administrator of the State Division of Career Technical Education, coordinate all efforts in career technical education (Sections 33-1002G and 33-2202 through 33-2212, Idaho Code).~~ (3-31-22)( )

001. SCOPE.

These rules serve the administration of Career Technical ~~schools~~ centers in Idaho and define the duties of the State Division of Career Technical Education. (3-31-22)( )

002. -- 004. (RESERVED)

005. DEFINITIONS.

01. **Administrator.** A designated school administrator, holding a career technical education program administrator certificate pursuant to IDAPA 08.02.02, "Rules Governing Uniformity," Section 015.04.b, and who oversees and monitors the career technical ~~school center~~ programs and is responsible for ensuring the school meets all applicable federal, state, and local school district regulations, rules, and policies. (3-31-22)( )

02. **Capstone Course.** A culminating course that requires students to demonstrate the knowledge and skills learned throughout their program of study. ( )

~~03. **Career Technical Schools.** Schools meeting the requirements of Section 33-1002G, Idaho Code, designed to provide high end, state-of-the-art technical programs that foster quality technical education through intermediate and capstone courses. Programs and services are directly related to the preparation of high school students for employment in current or emerging occupations that require other than a baccalaureate or advanced degree. These schools are closely linked to postsecondary education, thereby avoiding redundancy and maintaining rigor. They are also closely linked to current business and industry standards to ensure relevance and quality.~~ (3-31-22)

04. **Concentrator Student.** A ~~junior or senior~~ student enrolled in the career technical education program capstone course. (3-31-22)( )

~~05. **Credit Hours.** The total number of earned credit hours reported to the state longitudinal data system for qualifying intermediate, capstone, and work-based learning courses.~~ (3-31-22)

06. **EDUID Division.** ~~Education Unique Identifier~~ The Division of Career Technical Education. (3-31-22)( )

07. **Enrollment Units.** The total number of individual EDUIDs that are reported as enrolled during the previous academic year in a qualifying capstone course, as determined by the division. ( )

08. **Intermediate Course.** A course beyond the introductory level that adds to the technical competencies of pathway students, is intended to serve as a prerequisite for a capstone course and is offered in grades 9 through 12. ( )

09. **Participation ~~Total~~ Data.** The ~~total~~ number of technical skills assessments taken by enrolled concentrator students as part of each required capstone course during the previous academic year. (3-31-22)( )

10. **Technical Skills Assessment.** An assessment given at the culmination of a pathway program during the capstone course and measures a student's understanding of the technical requirements of the occupational pathway. ( )

~~409.~~ **Work-based Learning Course.** A paid or unpaid, internship, clinical, or apprenticeship that is delivered as part of a Career Technical ~~School center~~ program of study. This course must be delivered in conjunction with or after completion of a capstone course. Work-based learning courses must be tied to the program of study, and must be formalized through a written agreement between the school, industry partner, parent, and student. (3-31-22)( )

006. -- 101. (RESERVED)

102. CAREER TECHNICAL COMPONENT CRITERIA.

01. **Program Criteria.** Career technical ~~schools centers~~ are intended to deliver high-end career technical education programs that go beyond the scope of traditional career technical education. Labs are appropriately designed for the type of program and the number of students enrolled. The program has state-of-the-art equipment, current technology and strong links to business and industry. (3-31-22)( )

02. **Career Technical ~~School Center~~ Program.** Each program of a career technical ~~school center~~ shall: (3-31-22)( )

a. Deliver a sequence of career technical education courses that culminate in a capstone course. ( )

~~b. Meet all of the required technical competency credit standards established by the state board of education. (3-31-22)~~

~~eb.~~ Develop and maintain business and industry partnerships in addition to the technical advisory committee. ( )

~~dc.~~ Integrate industry-specific, state-of-the-art equipment and technologies into classroom instruction and applied learning opportunities for students. ( )

~~ed.~~ Employ instructors who hold career technical certification to teach the occupation and who also hold a related industry-based credential, or equivalent credential, as approved by the Division of Career Technical Education. (3-31-22)( )

~~f. Be delivered over a term of not less than five (5) semesters, or the equivalent instructional hours. Semester and trimester equivalencies will be approved by the Division of Career Technical Education. (3-31-22)~~

~~g. Enroll students from at least two (2) high schools. No single high school will comprise more than eighty-five percent (85%) of the total enrolled career technical school students. In the event a student enrolled in the career technical school is not enrolled in a high school, that student will be reported separately, based on the high school attendance zone where the student resides. (3-31-22)~~

~~he.~~ Promote the development of leadership. ( )

103. APPLICATION PROCESS.

New and renewal applications for career technical ~~school center~~ funding must be received by the Division of Career Technical Education on or before the fifteenth of April for the following fiscal year. (3-31-22)( )

104. **CAREER TECHNICAL ~~SCHOOL CENTER~~ ADDED COST UNIT FUNDING AND ELIGIBILITY.** ~~Section 33-1002G, Idaho Code, provides school districts an opportunity to establish career technical schools that qualify for funding appropriated for the specific purpose of supporting the added cost of career technical schools. The funds are appropriated to the State Board for Career Technical Education to be expended by the Division of Career Technical Education. Funding is distributed based on the number of students enrolled in a capstone course during the previous academic year, the aggregate total of the students who completed the technical skills assessment for the program the student was enrolled in, and the total earned credit hours reported by each school for intermediate, capstone, and work-based learning courses. If any approved program within a career technical school does not enroll~~

~~students from more than one (1) high school during the previous academic year, the program will not be included in the current year funding calculation. If the overall school enrollment exceeds more than eighty five percent (85%) of students from any single high school during the previous school year, the Division of Career Technical Education may withhold all or part of the career technical school's funding. Eligibility requirements based on student enrollment numbers are determined at the program level. Charter schools who have an established attendance area that overlaps with more than one school district boundary may report students as coming from the high school whose attendance zone they reside in for establishing the enrollment eligibility criteria.~~ (3-31-22)(\_\_\_\_)

**105. CAREER TECHNICAL ~~SCHOOL CENTER~~ FUNDING CALCULATION.**

~~The distribution of individual career technical ~~school center~~ funding will be calculated as a portion of the annual appropriation based on the following criteria: 50 percent (50%) of the annual appropriation will be divided among the total enrollment units, 25 percent (25%) will be divided by the total participation, and 25 percent (25%) will be divided among the total cumulative earned credit hours. Qualifying pathway enrollment will be reported to the State. The Division of Career Technical Education will gather participation data from the independent technical skill assessment providers annually.~~ (3-31-22)(\_\_\_\_)

**106. (RESERVED)**

**107. CAREER TECHNICAL ~~SCHOOL CENTER~~ UNIT FUND DISTRIBUTION.**

~~Once the career technical appropriation is made, the per unit value will be determined by dividing the total units into the appropriation. The value of each unit may vary from year to year, depending on the total appropriation and the total number of units in each of the enrollment categories.~~ (3-31-22)

**01. Payment Distribution.** ~~Added cost support unit~~ Funds shall be distributed by the Division of Career Technical Education in two (2) payments on a timeline established by the Division. (3-31-22)

**a.** ~~Seventy percent (70%) of the total appropriated funds for which career technical schools are eligible shall be distributed no later than September 30th each year. Funding will may not be distributed until to a center prior to the previous year enrollment units are being reported and the Division of Career Technical Education has verified aggregate participation data being verified.~~ (3-31-22)(\_\_\_\_)

**b.** ~~The remaining funds shall be distributed no later than June 30th.~~ (3-31-22)

**108. ACCOUNTABILITY.**

**01. Assessment Process.** ~~The Division of Career Technical Education shall develop an assessment process that includes measures and standards for career technical ~~school center~~ programs.~~ (3-31-22)(\_\_\_\_)

**02. Reporting.** ~~No later than October 15 of each year, career technical ~~schools centers~~ will submit a report to the Division of Career Technical Education, detailing their enrollment at the program level ~~by high school. Centers that fail to report the required data by the established timelines may not be eligible for funding until the subsequent fiscal year.~~~~ (3-31-22)(\_\_\_\_)

**03. Administrator Responsibility.** ~~The administrator of each career technical ~~school center~~ shall be responsible to provide onsite administration of the career technical ~~school center~~. The administrator ~~will submit all required career technical school reports requested by the~~ is responsible for all career technical center reports submitted to the Division of Career Technical Education.~~ (3-31-22)(\_\_\_\_)

**04. Accreditation.** ~~Each career technical school shall be accredited following Board of Education requirements. This accreditation shall be appropriate for the individual type of career technical school that is developed.~~ (3-31-22)

**05. School Improvement Plan.** ~~The administration, faculty and staff at each career technical school is responsible to develop and implement a local school improvement plan based on the assessment process developed by the Division of Career Technical Education.~~ (3-31-22)

**109. -- 999. (RESERVED)**

## **IDAPA 55 – STATE BOARD OF CAREER TECHNICAL EDUCATION**

### **55.01.04 – RULES GOVERNING IDAHO QUALITY PROGRAM STANDARDS INCENTIVE GRANTS AND AGRICULTURAL EDUCATION PROGRAM START-UP GRANTS**

#### **DOCKET NO. 55-0104-2301 (ZBR CHAPTER REWRITE)**

#### **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 33-1629, 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 18, 2023.

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: In accordance with [Executive Order 2020-01](#), this rulemaking will be a review of the chapter for evaluation on how it can be improved, simplified, and streamlined.

**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 as a result of this rulemaking: None

**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 2023 Idaho Administrative Bulletin, [Volume 23-6, page 88](#).

**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@osbe.idaho.gov](mailto:rules@osbe.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 25, 2023.

DATED this 25th day of August, 2023.

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

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 55-0104-2301  
(ZBR Chapter Rewrite)**



**55.01.04 – RULES GOVERNING IDAHO QUALITY PROGRAM STANDARDS INCENTIVE GRANTS  
AND AGRICULTURAL EDUCATION PROGRAM START-UP GRANTS**

**000. LEGAL AUTHORITY.**

~~This chapter is adopted under authority of~~ Section 33-1629, Idaho Code.

~~(3-31-22)~~( )

**001. SCOPE.**

These rules govern the standards and procedures for application to the Idaho Quality Program Standards Incentive Grants and the Agricultural Education Program Start-up Grants as administered by the Idaho Division of Career Technical Education. ( )

**002. -- 009. (RESERVED)**

**010. DEFINITIONS AND ABBREVIATIONS.**

**01. Administrator.** The administrator for the Division of Career Technical Education. ( )

**02. Agricultural and Natural Resources Program.** A program approved by the Division of Career Technical Education that is a standards-based ~~curriculum~~ program in agriculture, food and natural resources systems delivered through an integrated model that incorporates classroom and laboratory instruction, experiential learning and student leadership and personal development. ~~(3-31-22)~~( )

**03. Board.** The State Board for Career Technical Education. ( )

**04. Division.** The Division of Career Technical Education. ( )

**05. FTE.** Full Time Equivalent employee. ( )

**06. School District or District.** A public school district or a charter school authorized by the Public Charter School Commission or school district. ( )

**011. -- 099. (RESERVED)**

**100. INCENTIVE GRANT.**

**01. Eligibility Requirements.** Eligible applicants must meet quality program and instructor requirements as approved by the board. Applicants may re-apply ~~each year regardless of whether they have received a previous grant award~~ annually. ~~(3-31-22)~~( )

~~a.~~ An agricultural and natural resources program in any grade, nine (9) through twelve (12), must first meet the minimum program specific quality program standards as approved by the board. (3-31-22)

~~ba.~~ Programs will be rated on a scale consisting of “non-existent,” “below basic,” “basic,” “qualified,” “distinguished,” and “exemplary.” Eligibility requires that the program must meet each of the program quality indicators at the level of “basic” or higher. Programs must also have an overall average rating of no less than “distinguished” for all program specific quality standards. This average will be calculated using the quality indicators within each standard. Programs that do not meet the minimum quality standards requirements in one (1) year may be found eligible in subsequent year. Programs and instructors will be assessed by the division. ~~(3-31-22)~~( )

~~eb.~~ Instructors must teach in an approved agricultural and natural resources ~~program that meets the quality program standards and must also meet the instructor specific quality program standard as approved by the board~~ program in grades nine (9) through twelve (12). (3-31-22)( )

~~d.~~ ~~Instructors will be rated on a scale consisting of “non-existent,” “below basic,” “basic,”~~

~~“qualified,” “distinguished,” and “exemplary.” Eligibility requires that the instructor must meet each of the program quality indicators at the level of “basic” or higher. Instructors must also have an average rating of no less than “distinguished” for all instructor specific quality indicators. Instructors that do not meet the minimum quality standards requirements in one (1) year may be found eligible in a subsequent year. All instructors of agricultural and natural resources programs in grades nine (9) through twelve (12) are eligible to apply for the grant. (3-31-22)~~

~~e. Payments to districts will be adjusted according to the percent of time an instructor teaches within an approved agricultural and natural resources program. (3-31-22)~~

~~f. Should the division request additional information from a school district regarding a grant application, districts must respond to the request within the time period indicated. Failure to respond will result in the cancellation of the application and/or the forfeiture of the grant. (3-31-22)~~

**02. Application Process.** The application process consists of a formal application and assessment. ( )

~~a. To be considered for the grant, a school district must first complete and submit a formal application and supporting documentation on behalf of an instructor for an approved program according to the timeline established by the administrator. Applications may must be submitted electronically to the division. In the event of a mailed application, applications must be postmarked no later than the timeline specified by the division. Instructors may not apply on their own behalf. (3-31-22)( )~~

~~b. Following the receipt of an application, the division will conduct an assessment of the program and instructor to ensure they both meet the minimum eligibility requirements, as outlined in the quality program standards and complete a full evaluation. At the administrator’s discretion, the division may partner with additional subject-matter experts to assist in the evaluation. Assessments will be conducted each school year the instructor and program participate in the grant program. Districts will only be eligible to apply for the grant during the academic year the program received an assessment. Prior assessments cannot be used for subsequent grant applications. (3-31-22)( )~~

**03. Selection of Grant Recipients.** Grants will be awarded annually based on the availability of grant funds and the number of qualified applicants. Grants will be awarded to applicants based on ranking in accordance with the following criteria: ( )

~~a. Applicants will be ranked according to their overall score. Scores will be calculated using the sum of: ( )~~

~~i. The average score of the program quality indicators; and ( )~~

~~ii. The average score of the instructor-specific program quality indicators. ( )~~

**04. Incentive Grant Award.** ( )

~~a. Announcement of the grant award will be made following administrator approval through the distribution of a funding authorization letter. Prior to the distribution of the letter, the division will verify that the grant recipient continues to teach at the same school, in the same agricultural and natural resources program, and at the same FTE level as indicated on the formal application. (3-31-22)~~

~~b. The total number of recipients will vary by year in accordance with the availability of funds and the qualifications of the applicant pool. Awards will be in the amount of ten thousand dollars (\$10,000) until available funds are exhausted or all qualified recipients have been awarded the grant. In the event that funds are exhausted and a qualified teacher does not receive the grant in the year he or she applies, that teacher will receive priority consideration for the grant the following year. If the teacher(s) reapplies and continues to meet the minimum qualifications the following year, he or she will be eligible to receive the grant regardless of where he or she ranks. Once the prioritized teacher(s) has been awarded funds, the remaining teachers will be ranked and funds will be awarded until the remaining funds have been exhausted. This cycle of prioritization may continue for multiple years; once a qualified teacher receives funds, he or she automatically moves back into the pool of teachers whose~~

~~applications will be ranked in the following application cycle. Grants may be less than ten thousand dollars (\$10,000) when certain conditions exist: (3-31-22)~~

~~i. In the event of a tie, and in those instances where the number of qualified applicants exceeds the available funds, grants will be awarded equally among those recipients with a tied score. (3-31-22)~~

~~ii.a. Grants awarded will be awarded using based on FTE to calculate the percent of time an instructor spends teaching within an approved agricultural and natural resources program. In the event an instructor teaches in an approved program in less than a full-time capacity, grants will be pro-rated according to the percent of time the instructor spends teaching in the approved program. (3-31-22)( )~~

~~eb. Grants are awarded on an annual basis and are not transferable. ( )~~

~~dc. The use of grant funds must be in accordance with division guidelines and must be clearly linked to the agricultural and natural resources program identified on the formal application. ( )~~

~~ed. Grant funds may be used to improve the agricultural and natural resources program, including but not limited to: ( )~~

~~i. Offset travel and registration fees associated with educational workshops and/or professional training on behalf of the instructor and on behalf of the students participating in the eligible program for travel related to field trips and student organization activities; (3-31-22)( )~~

~~ii. Purchase or repair equipment; or ( )~~

~~iii. Purchase educational supplies/curricula. ( )~~

~~fe. Grant funds may not be used to: ( )~~

~~i. Cover the costs of either salaries or benefits, including extended contracts; ( )~~

~~ii. Offset expenses associated with the FFA organization or other student organizations; or ( )~~

~~iii. Supplant other district funding sources, e.g. routine facility maintenance or improvements. ( )~~

**101. -- 199. (RESERVED)**

**200. START-UP GRANT.**

**01. Eligibility Requirements.** A school district may apply for a start-up grant for a newly-approved agricultural and natural resources program or to re-establish an agricultural and natural resources program in any grade, nine (9) through twelve (12), when specific eligibility requirements are met. Districts are eligible to apply for the grant within the first three (3) fiscal years their program is approved or re-established. If a district applies for the grant but does not receive it, the district may reapply the following year(s). However, the district may only receive the grant once and may not apply beyond the three-year window. ( )

~~a. To start a new program, districts are required to first complete a request for new secondary program of study form for a new agricultural and natural resources program in one (1) of the specified grades. The new agricultural and natural resources program must then be approved by the division prior to application for the grant. Expansions of existing programs, including the addition of new career pathways or additional staff, do not qualify as a new program. (3-31-22)~~

~~b. To re-start a program, districts are required to first complete a Request for New Secondary Program of Study form to re-establish an agricultural and natural resources program in any grade nine (9) through twelve (12). The re-established agricultural and natural resources program must then be approved by the division prior to application for the grant. The re-established program must have been inactive for at least two (2) academic years to qualify for the grant. (3-31-22)~~

**02. Application Process.** A school district may submit an application for a new or re-established program. Completed applications, which must be authorized by the district superintendent or district administrator, must be submitted to the division according to the timeline established by the administrator. ~~In the event of a mailed application, the application must be postmarked no later than the timeline specified in the request.~~ (3-31-22)( )

**a.** Applications must include all required information outlined in the grant application, including specific documents detailing the district’s proposed budget and long-term strategy for sustaining the program. ( )

~~**b.** Should the division request additional information from a district regarding a grant application, districts must respond to the request within the time period indicated. Failure to respond will result in the cancellation of the application and/or the forfeiture of the grant.~~ (3-31-22)

**03. Selection of Grant Recipients.** Grants will be awarded annually by the division based on the availability of grant funds and the number of qualified programs. Grants will be awarded to districts based on ranking and priority that considers factors including but not limited to: the strength of the budget proposal, sustainability potential of the proposed program, and the history of prior grant awards. ( )

~~**04. Start-up Grant Award.** Announcement of the grant award will be made following administrator approval through the distribution of a funding authorization letter.~~ The total number of recipients will not exceed four awards annually, and may vary by year in accordance with the availability of funds and the qualifications of the applicant pool. Awards will be in the amount of twenty-five thousand dollars (\$25,000) until available funds are exhausted or all qualified recipients have been awarded the grant. (3-31-22)( )

**a.** Grants are awarded on a one-time basis and are not renewable or transferable. If a district is awarded the grant for a new program, the program is ineligible for future Start-up Grant awards should the program terminate and then be re-established. (3-31-22)( )

**b.** Use of grant funds must be in accordance with division guidelines and must be clearly linked to the agricultural and natural resources program identified on the formal application. If a district fails to spend the entire award amount, those funds may not be carried forward to the next fiscal year. ( )

**c.** Grant funds may be used to improve the agricultural and natural resources program, including but not limited to: ( )

**i.** Offset travel and registration fees associated with educational workshops and/or professional training on behalf of the instructor; ( )

**ii.** Purchase or repair equipment; ( )

**iii.** Purchase educational supplies/curricula; or ( )

**iv.** Start-up costs, up to one thousand dollars (\$1,000,) associated with establishing a new chapter of FFA ~~or other relevant student organization.~~ (3-31-22)( )

**d.** Grant funds may not be used to: ( )

**i.** Cover the costs of salaries and/or benefits, including extended contracts; ( )

**ii.** Offset ongoing expenses associated with the FFA organization or other student organizations; or ( )

**iii.** Supplant other district funding sources, e.g. routine facility maintenance or improvements. ( )

**201. -- 299. (RESERVED)**

**300. PAYMENTS.**

Payment of grant funds will be made to the district once the final award determinations are made. For grants awarded under Section 100, funds will be made to the district on behalf of the instructor. No later than June 30 of the fiscal year the grant was received, the district must submit a detailed expenditure report to the Division. ~~Each report is subject to review and verification by the Division and must detail that all expenditures were allowable under the grant and that all funds were spent within the fiscal year. Any unspent grant funds must be returned to the Division.~~

~~(3-31-22)( )~~

**301. APPEALS.**

~~Any grant applicant or recipient adversely affected by a decision made under provisions of these rules may appeal such adverse decision as follows. The grant applicant or recipient must appeal in writing no later than thirty (30) days following the announcement of the award, and the written statement must include the basis for the appeal. The appeal must be submitted to the administrator. The division shall acknowledge receipt of the appeal within seven (7) days. The administrator may or may not agree to review the action, or may appoint a subcommittee of three (3) persons to hear the appeal, including at least one (1) agricultural and natural resources professional.~~

~~(3-31-22)~~

~~**01. Review.** If the appeal is transmitted to the subcommittee, the subcommittee will review the appeal and submit a written recommendation to the administrator within fifteen (15) days from the time the subcommittee receives the appeal document. The grant applicant or recipient initiating the appeal will be notified by the chairperson of the subcommittee of the time and place when the subcommittee will consider the appeal and will be allowed to appear before the subcommittee to discuss the appeal.~~

~~(3-31-22)~~

~~**02. Presentation.** Following the subcommittee's decision, the administrator will present the subcommittee's recommendation to the board at the next regularly scheduled meeting of the board. The grant applicant or recipient initiating the appeal may, at the discretion of the board, be permitted to make a presentation to the board.~~

~~(3-31-22)~~

~~**03. Final Decision.** The decision of the board is final, binding, and ends all administrative remedies, unless otherwise specifically provided by the board. The board will inform the incentive grant applicant or recipient in writing of the decision of the board.~~

~~(3-31-22)~~

**3021. -- 999. (RESERVED)**