

Dear Senators MORTIMER, Thayn, Buckner-Webb, and
Representatives DEMORDAUNT, VanOrden, Pence:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
State Board of and State Department of Education - State Department of Education:

IDAPA 08.02.01 - Rules Governing Administration - Temporary and Proposed Rule (Docket No.
08-0201-1602);

IDAPA 08.02.01 - Rules Governing Administration - Temporary and Proposed Rule (Docket No.
08-0201-1603);

IDAPA 08.02.01 - Rules Governing Administration - Temporary and Proposed Rule (Docket No.
08-0201-1604).

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 11/01/2016. 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 11/30/2016.

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 334-4834, or send a written request to the address on the
memorandum attached below.



Eric Milstead
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 Research Analyst - Kristin Ford

DATE: October 13, 2016

SUBJECT: State Board of and State Department of Education - State Department of Education

IDAPA 08.02.01 - Rules Governing Administration - Temporary and Proposed Rule (Docket No. 08-0201-1602)

IDAPA 08.02.01 - Rules Governing Administration - Temporary and Proposed Rule (Docket No. 08-0201-1603)

IDAPA 08.02.01 - Rules Governing Administration - Temporary and Proposed Rule (Docket No. 08-0201-1604)

1. Docket No. 08-0201-1602

The State Board of and State Department of Education submits notice of temporary and proposed rule-making at IDAPA 08.02.01. The purpose of the rulemaking is to conform to the requirements of 2016 SB 1290 (College and Career Advising Plan requirements), 2016 HB 560 (Continuous Improvement Plan requirements), and 2016 HB 526 (Literacy Intervention Program requirements). The proposed amendments set out the statewide readiness and improvement metrics, literacy intervention plan requirements and reporting metrics, and college and career advising plan requirements and minimum metrics. According to the agency, the Governor has found that temporary adoption of the rule is necessary to come into compliance with Sections 33-320, 33-1212A, and 33-1316, Idaho Code. The agency states that negotiated rulemaking was conducted and that the Notice of Intent to Promulgate Rules was published in the July 6, 2016 edition of the Idaho Administrative Bulletin. This temporary and proposed rule appears to be within the agency's statutory authority pursuant to Sections 33-320, 33-1212A, and 33-1616, Idaho Code.

2. Docket No. 08-0201-1603

The State Board of and State Department of Education submits notice of temporary and proposed rule-making at IDAPA 08.02.01. The purpose of the rulemaking is to comply with the requirements of 2016 HB 526, which requires the Board of Education to promulgate rules creating targets for student trajectory growth in literacy to proficiency benchmarks and the timeline for reaching the benchmarks. According to the agency, the Governor has found that temporary adoption of the rule is necessary to come into compliance with Section 33-1316, Idaho Code. The agency states that negotiated rulemaking was conducted and that the Notice of Intent to Promulgate Rules was published in the July 6, 2016 edition of the Idaho Administrative Bulletin. This

Mike Nugent, Manager
Research & Legislation

Cathy Holland-Smith, Manager
Budget & Policy Analysis

April Renfro, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

temporary and proposed rule appears to be within the agency's statutory authority pursuant to Section 33-1616, Idaho Code.

3. Docket No. 08-0201-1604

The State Board of and State Department of Education submits notice of temporary and proposed rule-making at IDAPA 08.02.01. The purpose of the rulemaking is to implement the provisions of 2016 HB 476, which requires the Board to promulgate rules outlining the method of calculation of the statewide average class size figures based on multiple factors, including an analysis of like and similarly situated districts and the use of the divisor breakdown established in Section 33-1002, Idaho Code. According to the agency, the Governor has found that temporary adoption of the rule is necessary to come into compliance with Section 33-1004, Idaho Code. The agency states that negotiated rulemaking was conducted and that the Notice of Intent to Promulgate Rules was published in the July 6, 2016 edition of the Idaho Administrative Bulletin. This temporary and proposed rule appears to be within the agency's statutory authority pursuant to Section 33-1004, Idaho Code.

cc: State Board of and State Department of Education - State Department of Education
Tracie Bent

IDAPA 08 - STATE BOARD OF EDUCATION

08.02.01 - RULES GOVERNING ADMINISTRATION

DOCKET NO. 08-0201-1602

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is August 11, 2016.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Sections 33-320, 33-1212A, and 33-1616 Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) or more persons, a political subdivision, or an agency, not later than October 19, 2016.

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 the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

During the 2016 legislative session amendments were made to the Continuous Improvement Plan requirements, Literacy Intervention Plan requirements, and College and Career Advising Plan requirements. These amendments set minimum reporting requirements for the Continuous Improvement Plans and tied the Literacy Improvement Plans and College and Career Advising Plan reporting to the Continuous Improvement Plans. The proposed amendments set out the statewide readiness and improvement metrics, literacy intervention plan requirements and reporting metrics, and college and career advising plan requirements and minimum metrics.

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

The temporary rule is necessary to come into compliance with amendments to Sections 33-320, 33-1212A, and 33-1616, Idaho Code.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

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: N/A

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 July 6, 2016 Idaho Administrative Bulletin, [Vol. 16-7, page 50](#).

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Tracie Bent, Chief Planning and Policy Officer, at (208)332-1582 or tracie.bent@osbe.idaho.gov.

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 26, 2016.

DATED this 26th day of August, 2016.

Tracie Bent, Chief Planning and Policy Officer
Office of the State Board of Education
650 W State St.
PO Box 83720
Boise, ID 83720-0037
Phone: (208) 332-1582
Fax: (208) 334-2632

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 08-0201-1602
(Only Those Sections With Amendments Are Shown.)**

801. CONTINUOUS IMPROVEMENT PLANNING AND TRAINING.

In accordance with Section 33-320, Idaho Code, every local education agency (LEA) shall develop and maintain a strategic plan that includes a continuous improvement process focused on improving student performance of the LEA. (3-25-16)

01. Definitions. (4-11-15)

a. Administrator. As used in this section administrator means the superintendent of the school district or administrator of a charter school. (4-11-15)

b. Board. Board means the Idaho State Board of Education. (4-11-15)

c. Executive Director. Executive Director means the Executive Director of the Idaho State Board of Education. (4-11-15)

d. Local Education Agency Board. As used in this section local education agency or LEA Board means the board of trustees of a school district or board of directors of a charter school. (4-11-15)

e. Local Education Agency. As used in this section local education agency (LEA) means public school district or charter school.. (4-11-15)

f. Continuous Improvement Plan. As used in this section, a continuous improvement plan focuses on annual measurable outcomes and the analysis of data to assess and prioritize needs and measure outcomes. (3-25-16)

02. Reimbursement Eligibility. LEA's may request reimbursement for training conducted pursuant to Section 33-320, Idaho Code. To be eligible for reimbursement the training and trainer must meet the following criteria: (4-11-15)

a. Training. The training must cover one (1) or more the follow subjects: (4-11-15)

i. Continuous improvement planning training. Continuous improvement planning training must include, but is not limited to, training on continuous process improvement, use and analysis of data, and methods for setting measurable targets based on student outcomes; (3-25-16)

ii. School finance; (4-11-15)

iii. Administrator evaluations, including, but not limited to, specifics on the Idaho state evaluation requirements and framework; (4-11-15)

iv. Ethics; or (4-11-15)

- v. Governance. (4-11-15)
- b.** Documentation of Training. Training records shall be kept by the LEA showing: (4-11-15)
- i. The length of the training in hours; (4-11-15)
- ii. The subject(s) covered by the training; (4-11-15)
- iii. The participants included in the training or validation of attendance of specific participants as applicable; and (4-11-15)
- iv. The curriculum, agenda, or other documentation detailing the content of the training. (4-11-15)
- c.** Training Format. A majority of the LEA board and the administrator must collaborate on the continuous improvement plan and engage students, parents, educators and the community, as applicable to the training subject and format. The training facilitator must be physically present or have the ability to interact directly with all training participants. Sufficient time must be provided during the sessions to give the participants an opportunity to discuss issues specific to the LEA. (3-25-16)
- d.** Trainer Qualifications. The trainer must meet the following qualifications: (4-11-15)
- i. May not be a current employee of the LEA; (4-11-15)
- ii. Must have two (2) years of documented training experience in the area of training being provided for the LEA; and (4-11-15)
- iii. Must provide at least three (3) recommendations from individuals who participated in past training sessions conducted by the trainer. These recommendations must be included with the application to determine the trainer's qualifications. (4-11-15)
- e.** Qualified Trainers. Trainer qualifications will be determined by the Office of the State Board of Education. The State Board of Education will maintain a list of qualified trainers and the subject areas in which they are qualified. (4-11-15)
- i. An individual or company may submit an application for consideration to be placed on the list of qualified trainers or the LEA may submit the application on behalf of the individual or company. (4-11-15)
- ii. Applications must be submitted to the Executive Director in a format established by the Executive Director. (4-11-15)
- iii. Trainer qualifications must be determined prior to the LEA's request for reimbursement of training costs. (4-11-15)
- ~~03. Reimbursement. Up to two thousand dollars (\$2,000) per state fiscal year will be reimbursed to the LEA for training costs. Reimbursement will be based on actual expenditures related to the training delivered. (4-11-15)~~
- 043. Audit.** If requested, LEA's must provide training documentation or other information to verify eligibility prior to reimbursement. (4-11-15)
- 04. Statewide Continuous Improvement Measures.** Multiple measures must be used to fully determine student readiness and improvement. At a minimum each continuous improvement plan shall include the following statewide student readiness and improvement metrics. The benchmark for each metric shall be set by the LEA. (8-11-16)T
- a.** The career and college readiness metric shall be the number and percentage of students meeting the

college ready benchmark in mathematics and English Language Arts on a state recognized college entrance exam. Improvement shall be measured by year over year growth in the percentage of students meeting the college readiness benchmark. (8-11-16)T

b. The high school readiness metric shall be the number and percentage of students meeting proficient or advanced on the grade eight (8) Idaho standards achievement test in mathematics and English language usage. Improvement shall be measured by year over year growth in the percentage of students scoring proficient or advanced. (8-11-16)T

c. The grade seven (7) readiness metric shall be the number and percentage of students meeting proficient or advanced on the grade six (6) Idaho standards achievement test in mathematics and English language usage. Improvement shall be measured by year over year growth in the percentage of students scoring proficient or advanced. (8-11-16)T

d. The grade four (4) reading readiness metric shall be the number and percentage of students reading at grade level on the spring grade three (3) statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level. (8-11-16)T

e. The grade three (3) reading readiness metric shall be the number and percentage of students reading at grade level on the spring grade two (2) statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level. (8-11-16)T

f. The grade two (2) reading readiness metric shall be the number and percentage of students reading at grade level on the spring grade one (1) statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level. (8-11-16)T

g. The grade one (1) reading readiness metric shall be the number and percentage of students reading at grade level on the spring kindergarten statewide reading assessment. Improvement shall be measured by year over year growth in the percentage of students scoring at grade level. (8-11-16)T

05. Annual Literacy Intervention Plan. Annually each LEA will report on the effectiveness of the LEA's literacy intervention plan. Plans and reports are due by October 1 of each year. Plans shall include at a minimum: (8-11-16)T

a. Summary of literacy interventions used at each grade level; (8-11-16)T

b. Previous year literacy intervention expenditures; (8-11-16)T

c. Projected literacy plan budget for the current school year; (8-11-16)T

d. Metrics chosen by the LEA to determine effectiveness of the literacy plan and annual performance benchmarks; and (8-11-16)T

e. Performance on metrics chosen to show program effectiveness for at a minimum the previous academic year. (8-11-16)T

06. College and Career Advising and Mentoring Plans. Annually each LEA shall submit their college and career advising and mentoring plan to the State Board of Education by October 1. (8-11-16)T

a. Plans shall include: (8-11-16)T

i. Description of the college and career advising or mentoring model used by the LEA; (8-11-16)T

ii. Summary of college and career advising and mentoring used at each grade level, grade eight (8) through grade twelve (12), as applicable to the grade ranges enrolled at the LEA; (8-11-16)T

iii. Previous year college and career advising and mentoring plan expenditures. College and career

advising and mentoring plans submitted for the 2016-2017 school year must show how the additional funds received will be used to expand previous college and career advising and mentoring in the schools. New funding shall not be used to supplant current efforts; (8-11-16)T

- iv. Projected college and career advising and mentoring plan budget for current school year; and (8-11-16)T
- v. Required metrics and metrics chosen by the LEA to determine effectiveness of the college and career advising and mentoring plan, baseline data and annual benchmarks. (8-11-16)T
- b.** Performance on all effectiveness metrics shall be reported annually in the LEA's Continuous Improvement Plan annual report. (8-11-16)T
- c.** At a minimum effectiveness metrics must include: (8-11-16)T
 - i. Number of learning plans developed during grade eight (8); (8-11-16)T
 - ii. Number of learning plans reviewed annually by grade level, in grade nine (9) through grade twelve (12); (8-11-16)T
 - iii. Number of students served annually by grade level; (8-11-16)T
 - iv. Number and percent of students who go on to some form of postsecondary education one (1) and two (2) years after graduation; and (8-11-16)T
 - v. Number of students graduating high school with a career technical certificate or associates degree. (8-11-16)T

IDAPA 08 - STATE BOARD OF EDUCATION

08.02.01 - RULES GOVERNING ADMINISTRATION

DOCKET NO. 08-0201-1603

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is August 11, 2016.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 33-1616, 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 19, 2016.

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 the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Pursuant to amendments to Section 33-1616, Idaho Code, the proposed rule creates statewide growth targets for improving student literacy proficiency.

Year 1 and 2:

Grade	KG	1	2	3
% Growth	1.0%	1.0%	1.0%	1.0%

Years 3 through 6:

Grade	KG	1	2	3
% Growth	1.8%	2.0%	1.6%	1.2%

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

HB 526 (2016) amended Section 33-1616, Idaho Code, requiring the Board set student trajectory growth to proficiency benchmarks and timelines for Kindergarten through grade 3. The proposed amendments add a new Section 821 to IDAPA 08.02.01 that sets trajectory growth targets at the statewide level in compliance with Idaho Code.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

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: N/A

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 July 6, 2016 Idaho Administrative Bulletin, [Vol. 16-7, page 51](#).

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Tracie Bent, Chief Planning and Policy Officer, at (208)332-1582 or tracie.bent@osbe.idaho.gov.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 26th, 2016.

DATED this 26th day of August, 2016.

Tracie Bent, Chief Planning and Policy Officer
Office of the State Board of Education
650 W State St., PO Box 83720

Boise, ID 83720-0037
Phone: (208) 332-1582
Fax: (208) 334-2632

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 08-0201-1603
(Only Those Sections With Amendments Are Shown.)**

802. LITERACY GROWTH TARGETS.

01. Statewide Trajectory Growth Targets. Statewide trajectory annual growth targets are based on aggregated student performance on the spring administration of the statewide reading assessments. Local growth targets are set by the LEA based on the LEA's available resources and student demographics. Statewide trajectory growth targets indicated the statewide goal for year over year increases in the percentage of students reading at grade level. (8-11-16)T

a. Year one (1) and two (2): (8-11-16)T

i. Kindergarten -- one percent (1%). (8-11-16)T

ii. Grade one (1) -- one percent (1%). (8-11-16)T

iii. Grade two (2) -- one percent (1%). (8-11-16)T

iv. Grade three (3) -- one percent (1%). (8-11-16)T

b. Year three (3), four (4), five (5), and six (6): (8-11-16)T

i. Kindergarten -- one point eight percent (1.8%). (8-11-16)T

ii. Grade one (1) -- two percent (2%). (8-11-16)T

iii. Grade two (2) -- one point six percent (1.6%). (8-11-16)T

iv. Grade three (3) -- one point two percent (1.2%). (8-11-16)T

02. Annual Review. The State Board of Education will review the statewide student proficiency levels and the statewide trajectory growth targets annually. (8-11-16)T

8023. -- 999. (RESERVED)

IDAPA 08 - STATE BOARD OF EDUCATION

08.02.01 - RULES GOVERNING ADMINISTRATION

DOCKET NO. 08-0201-1604

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is August 11, 2016.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 33-1004, 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 19, 2016.

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 the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The proposed rule will establish multiple measures for determining peer groups for school districts based on school district size, geographical location and pupil populations. The rule will also determine how the measures are combined to group school districts for determining the statewide average class size for each peer group. The proposed rule amendments would add a new section to IDAPA 08.02.01, Rules Governing Administration setting out the provisions for determining the statewide average class size based on the divisors specified in Section 33-1002, Idaho Code. The proposed breakdown would be as follows:

- Group 1 shall consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades 1 through 3 and twenty-three (23) for grades 4 through 6, and a secondary divisor of eighteen point five (18.5).
- Group 2 will consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades 1 through 3 and twenty-three (23) for grades 4 through 6, and a secondary divisor less than 18.5.
- Group 3 will consist of school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of nineteen (19) or twenty (20) for grades 1 through 6, and a secondary divisor of less than eighteen point five (18.5).
- Group 4 will consist on school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of less than nineteen (19) for grades 1 through 6, and a secondary divisor of less than eighteen point five (18.5).

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

HB 476 (2016) amended Section 33-1004, Idaho Code setting additional provisions for determining the statewide average class size that is used in calculations related to school district staff allowances. The proposed amendments are necessary to come into compliance with the amendments made to Section 33-1004, Idaho Code.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

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: N/A

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 July 6, 2016 Idaho Administrative Bulletin, [Vol. 16-7, page 52](#).

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Tracie Bent, Chief Planning and Policy Officer, at (208)332-1582 or tracie.bent@osbe.idaho.gov.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 26, 2016.

DATED this 26th day of August, 2016.

Tracie Bent, Chief Planning and Policy Officer
Office of the State Board of Education
650 W State St.
PO Box 83720
Boise, ID 83720-0037
Phone: (208) 332-1582
Fax: (208) 334-2632

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 08-0201-1604
(Only Those Sections With Amendments Are Shown.)**

803. STATEWIDE AVERAGE CLASS SIZE.

For the purpose of determining the statewide average class sized used in school district staff allowance calculations, school districts shall be grouped as follows: (8-11-16)T

01. Group 1. Group 1 shall consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades one (1) through three (3) and twenty-three (23) for grades four (4) through six (6), and a secondary divisor of eighteen point five (18.5.) (8-11-16)T

02. Group 2. Group 2 will consist of school districts with an elementary divisor, pursuant to Section 33-1004, Idaho Code, of twenty (20) for grades one (1) through three (3) and twenty-three (23) for grades four (4) through six (6), and a secondary divisor less than eighteen point five (18.5.) (8-11-16)T

03. Group 3. Group 3 will consist of school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of nineteen (19) or twenty (20) for grades one (1) through six (6), and a secondary divisor of less than eighteen point five (18.5.) (8-11-16)T

04. Group 4. Group 4 will consist of school districts with elementary divisors, pursuant to Section 33-1004, Idaho Code, of less than nineteen (19) for grades one (1) through six (6), and a secondary divisor of less than eighteen point five (18.5.) (8-11-16)T

803.4. -- 999. (RESERVED)