

Dear Senators GOEDDE, Fulcher & Burkett, and  
Representatives NONINI, Shirley & Boe:

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

**IDAPA 08.02.03 - Rules Governing Thoroughness (Docket No. 08-0203-0805)**

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  
12-04-08. 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 12-18-08.

\_\_\_\_\_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 334-2475, or send a written request to the  
address or FAX number indicated on the memorandum enclosed.

## **MEMORANDUM**

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

**FROM:** Research & Legislation Staff - Eric Milstead

**DATE:** November 14, 2008

**SUBJECT:** Rules of the State Board of Education  
IDAPA 08.02.03 - Rules Governing Thoroughness  
Docket No. 08-0203-0805

The State Board of Education submits notice of proposed rulemaking at IDAPA 08.02.03 - Rules Governing Thoroughness. [NOTE: This proposed rule was received by Legislative Services from the Office of Rules Coordinator on November 3, 2008]. The proposed rule combines two existing sections governing graduation requirements (Sections 105 and 107). The Board states that the consolidation of two sections will remove duplicative provisions and address and resolve any confusion that resulted from having two sections governing the graduation requirements.

The proposed rule appears to be authorized pursuant to Section 33-105, Idaho Code.

cc: State Board of Education, Tracie Bent

**IDAPA 08 - STATE BOARD OF EDUCATION**

**08.02.03 - RULES GOVERNING THOROUGHNESS**

**DOCKET NO. 08-0203-0805**

**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 Section 33-105, Idaho Code and Public Law 107-110 ("No Child Left Behind") Section 1111.b.3.C.

**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 November 19, 2008.

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:

This rulemaking will combine Sections 08.02.03.105 and 08.02.03.107 regarding graduation requirement, removing any redundancies and clarifying any confusion that having two Sections may have caused.

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

No fees or charges are being imposed as a result of this rulemaking.

**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:

No negative fiscal impact to the general fund will result from this rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220, Idaho Code, negotiated rulemaking was not conducted because the rulemaking is non-controversial in nature.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Tracie Bent at (208) 332-1582.

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 November 26, 2008.

DATED this 20th day of August, 2008.

Tracie Bent  
Planning, Policy and HR Officer  
State Board of Education  
650 West State Street  
PO Box 83720  
Boise, ID 83720-0037  
(208) 332-1582 phone  
(208) 334-2632 FAX

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**THE FOLLOWING IS THE TEXT OF DOCKET NO. 08-0203-0805**

**105. HIGH SCHOOL GRADUATION ~~FROM HIGH SCHOOL~~ REQUIREMENTS.**

A student must meet all of the ~~following~~ 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. (4-11-06)( )

**01. Credit Requirements.** The State minimum graduation requirement for all Idaho public high schools is forty-two (42) semester credits. The forty-two (42) semester credits must include twenty-five (25) semester credits in core subjects as identified in Paragraphs 105.01.a. through 105.01.f. All credit-bearing classes must be aligned with state high school standards in the content areas for which standards exist. For all public school students who enter high school at the 9th grade level in Fall 2009 or later, the minimum graduation requirement will be forty-five (45) semester credits and must include twenty-nine (29) semester credits in core subjects as identified in Paragraphs 105.01.a. through 105.01.f. (3-30-07)( )

**a.** (Effective for all students that graduate prior to January 1, 2013.) Each student shall demonstrate achievement in the CORE and other required subjects to include forty-two (42) semester credits, one (1) semester equaling one-half (1/2) year. Secondary Language Arts and Communication. Nine (9) semester credits are required that include eight (8) semester credits of instruction in Language Arts. Each year shall consist of language study, composition, and literature; including one (1) semester credit of instruction in communications consisting of oral communication and technological applications that includes a course in speech, a course in debate, or a sequence of instructional activities that meet the state high school communications standards requirements. (3-30-07)( )

**b.** (Effective for all students that enter the ninth grade in the fall of 2009 or later.) Each student shall complete the requirements found in Section 107 and other subjects to include forty-six (46) semester credits, one (1) semester equaling one-half (1/2) year. Mathematics. Four (4) semester credits are required. Secondary mathematics includes Applied Mathematics, Business Mathematics, Algebra, Geometry, Trigonometry, Fundamentals of Calculus, Probability and Statistics, Discrete Mathematics, and courses in mathematical problem solving and reasoning. (3-30-07)( )

**i.** If a student completes any required high school course with a grade of C or higher before entering grade nine (9), and if that course meets the same standards that are required in high school, then the student has met the high school content area requirement for such course. However, the student must complete the required four (4) credits of high school math in addition to the courses completed in middle school. ( )

**ii.** For all public school students who enter high school at the 9th grade level in Fall 2009 or later, six (6) semester credits are required. For such students, secondary mathematics includes instruction in the following areas: ( )

**(1)** Two (2) semester credits of Algebra I or courses that meet Algebra I standards as approved by the State Department of Education; ( )

**(2)** Two (2) semester credits of Geometry or courses that meet Geometry standards as approved by the State Department of Education; and ( )

**(3)** Two (2) semester credits of mathematics of the student's choice. ( )

**(4)** Two (2) semester credits of the required six (6) semester credits of mathematics must be taken in the last year of high school. ( )

**c.** Science. Four (4) semester credits are required, two (2) of which will be laboratory based. Secondary sciences include instruction in applied sciences, earth and space sciences, physical sciences, and life sciences. ( )

**i.** Effective for all public school students who enter high school at the 9th grade level in Fall 2009 or later, six (6) semester credits will be required. Secondary sciences include instruction in the following areas: biology, physical science or chemistry, and earth, space, environment, or approved applied science. Four (4) semester credits of these courses must be laboratory based. ( )

ii. If a student completes any required high school course with a grade of C or higher before entering grade nine (9), and if that course meets the same standards that are required in high school, then the student has met the high school content area requirement for such course. However, the student must complete the required number of semester credits of high school science in addition to the courses completed in middle school. ( )

d. Social Studies. Five (5) semester credits are required, including government (two (2) semester credits), United States history (two (2) semester credits), and economics (one (1) semester credit). Current world affairs and geography will be integrated into all social studies instruction. Courses such as geography, sociology, world affairs, and world history may be offered as electives, but are not to be counted as a social studies requirement. ( )

e. Humanities. Two (2) semester credits are required. Humanities courses include instruction in interdisciplinary humanities, visual and performing arts, or world language. Other courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if the course syllabus is approved by the State Department of Education as being aligned with the Humanities Standards. ( )

f. Health/Wellness. One (1) semester credit is required. Course must focus on positive health habits. ( )

02. **Achievement 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. (4-2-08)

03. **Proficiency (~~Effective January 1, 2006~~).** Each student ~~shall~~ must achieve a proficient or advanced score on the High School Grade 10 Idaho Standards Achievement Test (ISAT) in math, reading and language usage in order to graduate. For all public school students who enter high school at the 9th grade level in the Fall 2008 or later, each student must also achieve a proficient or advanced score on the science portion of the ISAT in order to graduate. A student who does not attain at least a proficient score prior to graduation may appeal to the school district or LEA, and, ~~at the discretion of the school district or LEA, may~~ will be given an opportunity to demonstrate proficiency of the achievement content standards through some other locally established mechanism. All locally established mechanisms used to demonstrate proficiency ~~shall~~ will be forwarded to the State Board of Education for review and information. Districts with alternate measures on file with the Board on the effective date of this rule must re-submit their plans to the Board. Alternate mechanisms must be re-submitted to the Board when changes are made in their plans. (~~4-11-06~~)( )

a. Before entering an alternate measure, the student must be: (4-2-08)

i. Enrolled in a special education program and have an Individual Education Plan (IEP); or (3-20-04)

ii. Enrolled in an Limited English Proficient (LEP) program for three (3) academic years or less; or (3-20-04)

iii. Enrolled in the fall semester of the senior year. (3-20-04)

b. The measure must be: (~~3-20-04~~)( )

i. ~~a~~Aligned at a minimum to tenth grade state content standards; (3-20-04)

ii. ~~The measure must be a~~ Aligned to the state content standards for the subject matter in question; (~~3-20-04~~)( )

iii. ~~The measure must be a~~Valid and reliable; and (~~3-20-04~~)( )

iv. Ninety percent (90%) of the criteria of the measure, or combination of measures, must be based on academic proficiency and performance. (3-20-04)

- c.** A student is not required to achieve a proficient or advanced score on the ISAT if: ( )
- i.** The student received a proficient or advanced score on an exit exam from another state that requires a standards-based exam for graduation. The state's exit exam must approved by the State Board of Education and must measure skills at the tenth grade level and be in comparable subject areas to the ISAT; ( )
- ii.** The student completes another measure established by a school district or LEA and received by the Board as outlined in Subsection 105.03; or ( )
- iii.** The student has an IEP that outlines alternate requirements for graduation or adaptations are recommended on the test; ( )
- iv.** The student is considered an LEP student through a score determined on a language proficiency test and has been in an LEP program for three (3) academic years or less; ( )

**04. Foreign Exchange Students.** Foreign exchange students may be eligible for graduation by completing a comparable program as approved by the school district or LEA. (4-11-06)

**05. Special Education Students.** A student who is eligible for special education services under the Individuals With Disabilities Education Improvement Act must, with the assistance of the student's Individualized Education Program (IEP) team, refer to the current Idaho Special Education Manual for guidance in addressing graduation requirements. (4-11-06)

**06. College Entrance Examination.** (Effective for all public school students who enter high school at the 9th grade level in Fall 2009 or later.) A student must take one (1) of the following college entrance examinations before the end of the student's eleventh grade year: COMPASS, ACT or SAT. Scores must be included in the Learning Plan. ( )

**07. Senior Project.** (Effective for all public school students who enter high school at the 9th grade level in Fall 2009 or later.) A student must complete a senior project by the end of grade twelve (12). The project must also include a written report and an oral presentation. ( )

**(BREAK IN CONTINUITY OF SECTIONS)**

**107. HIGH SCHOOL GRADUATION REQUIREMENTS (RESERVED).**

~~**01- Requirements.** (Effective for all students that graduate prior to January 31, 2013.) The State minimum graduation requirement for all Idaho public high schools is forty two (42) semester credits and a proficient or advanced score on the ISAT. The core of instruction required by the State Board of Education is twenty five (25) semester credits. Local school districts may establish graduation requirements beyond the state minimum. The local school district has the responsibility to provide education opportunities that meet the needs of students in both academic and professional technical areas. It is the intent of the State Board of Education to give local school districts the flexibility to provide rigorous and challenging curriculum that is consistent with the needs of students and the desire of their local patrons. (4-2-08)~~

~~**02- Requirements.** (Effective for all students that enter the ninth grade in the fall of 2009 or later.) The State minimum graduation requirement for all Idaho public high schools requires that a student take a minimum of forty six (46) semester credits and achieve a proficient or advanced score on the ISAT. (3-30-07)~~

~~**a-** Twenty nine (29) semester credits are required as listed in Subsections 107.03 through 107.08; and (3-30-07)~~

~~**b-** A minimum of seventeen (17) elective credits. (3-30-07)~~

~~e. All credit-bearing classes must be aligned with state high school standards in the content areas for which standards exist. (3-30-07)~~

~~d. Local school districts or LEAs may establish graduation requirements beyond the state minimum. The local school district or LEA has the responsibility to provide educational opportunities that meet the needs of students in both academic and professional technical areas. It is the intent of the State Board of Education to give local school districts the flexibility to provide rigorous and challenging curriculum that is consistent with the needs of students and the desire of their local patrons. (3-30-07)~~

~~03. **Secondary Language Arts and Communication.** Eight (8) credits required that includes four (4) years of instruction in English, each year will consist of language study, composition, and literature. One (1) credit of instruction in communications including oral communication and technological applications that includes a course in speech, a course in debate, or a sequence of instructional activities that meet the state high school communications standards requirements. (3-30-07)~~

~~04. **Mathematics.** (3-30-07)~~

~~a. **Mathematics.** (Effective for all students that graduate prior to January 31, 2013.) Eight (8) credits required, a minimum of four (4) credits in math and four (4) credits in science, two (2) of which will be laboratory based. Secondary mathematics includes Applied Mathematics, Business Mathematics, Algebra, Geometry, Trigonometry, Fundamentals of Calculus, Probability and Statistics, Discrete Mathematics, and courses in mathematical problem solving and reasoning. Secondary sciences will include instruction in applied sciences, earth and space sciences, physical sciences, and life sciences. (3-30-07)~~

~~b. **Mathematics.** (Effective for all students that enter the ninth grade in the fall of 2009 or later.) Six (6) credits required. Secondary mathematics shall include instruction in the following areas: (3-30-07)~~

~~i. Two (2) semesters of Algebra I or courses that meet Algebra I standards as approved by the State Department of Education; (3-30-07)~~

~~ii. Two (2) semesters of Geometry or courses that meet Geometry standards as approved by the State Department of Education; and (3-30-07)~~

~~iii. Two (2) semesters of mathematics of the student's choice. (3-30-07)~~

~~iv. Two (2) semesters of the required six (6) credits of mathematics must be taken in the last year of high school. (3-30-07)~~

~~e. If a student completes any required high school course with a grade of C or higher before entering grade nine (9), and if that course meets the same standards that are required in high school, then the student has met the high school content area requirement. However the student must complete six (6) credits of high school math in addition to the courses completed in middle school. (3-30-07)~~

~~05. **Science.** (Effective for all students that enter the ninth grade in the fall of 2009 or later.) Six (6) credits required. (3-30-07)~~

~~a. Secondary sciences shall include instruction in the following areas: (3-30-07)~~

~~i. **Biology;** (3-30-07)~~

~~ii. **Physical science or chemistry; and** (3-30-07)~~

~~iii. **Earth, space, environment, or approved applied science.** (3-30-07)~~

~~b. **Four (4) credits of courses outlined in Subsection 107.05.a. must be laboratory based.** (3-30-07)~~

~~e. If a student completes any required high school course with a grade of C or higher before entering~~

~~grade nine (9), and if that course meets the same standards that are required in high school, then the student has met the high school content area requirement. However, the student must complete six (6) credits of high school science in addition to the courses completed in middle school. (3-30-07)~~

~~**06. Social Studies.** (Five (5) credits required), including government (two (2) credits), United States history (two (2) credits), and economics (one (1) credit). Current world affairs and geography will be integrated into all social studies instruction. Courses such as geography, sociology, world affairs, and world history may be offered as electives, not to be counted as a social studies requirement. (4-11-06)~~

~~**07. Humanities.** (Two (2) credits required). A course in interdisciplinary humanities, visual and performing arts, or world language. Other courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if the course syllabus is approved by the State Department of Education as being aligned with the Humanities Standards. (4-11-06)~~

~~**08. Health/Wellness.** (One (1) credit required). A course focusing on positive health habits. (7-1-00)~~

~~**09. College Entrance Examination.** (Effective for all students that enter the ninth grade in the fall of 2009 or later.) A student must take one (1) of the following college entrance examinations before the end of the student's eleventh grade year: COMPASS, ACT or SAT. Scores must be included in the Learning Plan. (3-30-07)~~

~~**10. Senior Project.** (Effective for all students that enter the ninth grade in the fall of 2009 or later.) A student shall complete a senior project that shall include a research paper and oral presentation by the end of grade twelve (12). (3-30-07)~~

~~**11. Assessment.** A student must achieve a proficient or advanced score on the ISAT. A student is not required to achieve a proficient or advanced score on the ISAT if:~~

~~**a.** A student received a proficient or advanced score on an exit exam from another state that requires a standards based exam for graduation. The state's exit exam shall be approved by the State Board of Education, and must measure skills at the tenth grade level or above and be in comparable subject areas to the ISAT; (4-11-06)~~

~~**b.** A student completes another measure established by a school district or LEA and received by the Board as outlined in Subsection 105.03; or (4-2-08)~~

~~**c.** A student has an IEP that outlines alternate requirements for graduation. (4-11-06)~~

~~**d.** Calendar year of 2007. A student is not required to achieve a proficient or advanced score on the ISAT if: (3-30-07)~~

~~**i.** A student took the ISAT and was within three (3) RIT points of proficiency; (4-11-06)~~

~~**ii.** A student has an IEP that outlines alternate requirements for graduation or adaptations are recommended on the test; (4-11-06)~~

~~**iii.** A student is considered an LEP student through a score determined on a language proficiency test and has been in an LEP program for three (3) academic years or less; (4-11-06)~~

~~**iv.** A student received a proficient or advanced score on an exit exam from another state that requires a standards based exam for graduation. The state exit exams must be approved by the State Board of Education, measure skills at the tenth grade level or above and be in comparable subject areas to the ISAT; or (4-11-06)~~

~~**v.** A student appeals for another measure approved by the school district or LEA as outlined in Subsection 105.03. (4-11-06)~~

~~**e.** Calendar year of 2008 and subsequent classes. A student is not required to achieve a proficient or advanced score on the ISAT if: (3-30-07)~~



~~i. A student has an IEP that outlines alternate requirements for graduation or adaptations are recommended on the test; (3-30-07)~~

~~ii. A student is considered an LEP student through a score determined on a language proficiency test and has been in an LEP program for three (3) academic years or less; (3-30-07)~~

~~iii. A student received a proficient or advanced score on an exit exam from another state that requires a standards based exam for graduation. The state exit exams must be approved by the State Board of Education, measure skills at the tenth grade level or above and be in comparable subject areas to the ISAT; or (3-30-07)~~

~~iv. A student appeals for another measure approved by the school district or LEA as outlined in Subsection 105.03. (3-30-07)~~