

Dear Senators GOEDDE, Mortimer, Malepeai, and
Representatives NONINI, Shirley, Pence:

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

IDAPA 08.02.01 - Rules Pertaining To The Rules Governing Administration (Docket No.
08-0201-1101);

IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1102);

IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1103);

IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1104);

IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1105);

IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1106);

IDAPA 08.02.03 - Rules Pertaining To The Rules Governing Thoroughness (Docket No.
08-0203-1103);

IDAPA 08.02.03 - Rules Pertaining To The Rules Governing Thoroughness (Docket No.
08-0203-1104).

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 11/03/2011. 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 12/05/2011.

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 334-4845, or send a written request to the address or FAX
number indicated on the memorandum enclosed.



Jeff Youtz
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: Principal Legislative Research Analyst - Eric Milstead
DATE: October 17, 2011
SUBJECT: State Board of and State Department of Education

IDAPA 08.02.01 - Rules Pertaining To The Rules Governing Administration (Docket No. 08-0201-1101)
IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1102)
IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1103)
IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1104)
IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1105)
IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1106)
IDAPA 08.02.03 - Rules Pertaining To The Rules Governing Thoroughness (Docket No. 08-0203-1103)
IDAPA 08.02.03 - Rules Pertaining To The Rules Governing Thoroughness (Docket No. 08-0203-1104)

1. IDAPA 08.02.01 - Rules Governing Administration (Docket No. 08-0201-1101) - The State Board of and State Department of Education submits notice of proposed rulemaking at IDAPA 08.02.01 - Rules Governing Administration. The proposed rule includes provisions relating to certain aspects of collective bargaining and negotiations governed by legislation passed during the 2011 Session. First, the proposed rule specifies that for the purposes of Section 33-1273A, Idaho Code, all negotiations shall comply with certain Idaho Code sections providing for and governing open meetings.

The proposed rule also clarifies the definitions of two terms ("compensation" and "benefits") found in Section 33-1272, Idaho Code. That section of code defines "compensation" to mean salary and benefits for the professional employee. That code section then also defines the term "benefits" but does not define the term "salary." The proposed rule, however, provides the definition of "salary." The rule defines "salary" to include any monies paid to employee pursuant to an employment contract and the process by which the board of trustees determines achievement share awards pursuant to Section 33-1004I, Idaho Code.

We note that the statute that the proposed rule is intended to "clarify" is a definitional statute which defines terms relevant to negotiations between school boards and certain employees or their representatives. We note also that the proposed rule provides definitions related to that same setting. We consider that it might be a more consistent approach to clarify definitions and to provide additional definitions (as the proposed rule does) by way of amendment to the relevant statute--Section 33-1272, Idaho Code. An amendment to the code would, in all likelihood, provide the clarification that the proposed rule is attempting to make.

Mike Nugent Manager
Research & Legislation

Cathy Holland-Smith, Manager
Budget & Policy Analysis

Don H. Berg, Manager
Legislative Audits

Glenn Harris, Manager
Information Technology

The agency states that negotiated rulemaking was not conducted because the proposed changes were suggestions received from stakeholders and the proposed language clarifies existing law.

Aside from our comments noted above, the proposed rule appears to be authorized pursuant to section 33-107, Idaho Code.

2. IDAPA 08.02.02 - Rules Pertaining To The Rules Governing Uniformity (Docket No. 08-0202-1102) - The State Board of and State Department of Education submits notice of proposed rulemaking at IDAPA 08.02.02 -- Rules Governing Uniformity. The proposed rule makes just one revision which is to update the name of an accreditation commission (Section 140.02).

The temporary rule appears to be authorized pursuant to section 33-107, Idaho Code.

3. IDAPA 08.02.02 - Rules Governing Uniformity (Docket No. 08-0202-1103) - The State Board of and State Department of Education submits notice of proposed rulemaking at IDAPA 08.02.02 - Rules Governing Uniformity. The proposed rule revises provisions relating to three endorsements, including endorsements for Exceptional Child Certificate (section 021); the English as a New Language endorsement (Section 023.04); and the endorsement for School Psychologist.

The agency states that negotiated rulemaking was not conducted because the proposed changes were suggested by the Professional Standards Commission which receives input from a number of education stakeholders.

The proposed rule appears to be authorized pursuant to section 33-107, Idaho Code.

4. IDAPA 08.02.02 - Rules Governing Uniformity (Docket No. 08-0202-1104) - The State Board of and State Department of Education submits notice of proposed rulemaking at IDAPA 08.02.02 - Rules Governing Uniformity. The proposed rule in this docket includes one revision: it provides for the reinstatement of an expired certificate with an "interim" certificate. The agency notes that this change was approved by the Professional Standards Commission as a way to meet federal guidelines for Highly Qualified Status and teacher shortages. The agency states that the proposed rule will provide flexibility and a shorter time-line for educators to return to teaching.

The agency states that negotiated rulemaking was not conducted because the revisions were suggested by the Professional Standards Commission.

The proposed rule appears to be authorized pursuant to sections 33-107, Idaho Code.

5. IDAPA 08.02.02 - Rules Governing Uniformity (Docket No. 08-0202-1105) - The State Board of and State Department of Education submits notice of proposed rulemaking at IDAPA 08.02.02 - Rules Governing Uniformity. The proposed rule revises provisions relating to the "Official Vehicle for the Approval of Teacher Education Programs" (Section 100). The agency states that the revisions found in the proposed rule were recommended by the Professional Standards Commission.

The agency states that negotiated rulemaking was not conducted because the revisions were suggested by the Professional Standards Commission.

The proposed rule appears to be authorized pursuant to section 33-107, Idaho Code.

6. IDAPA 08.02.02 - Rules Governing Uniformity (Docket No. 08-0202-1106) - The State Board of and State Department of Education submits notice of proposed rulemaking at IDAPA 08.02.02 - Rules Governing Uniformity. The proposed rule includes two new provisions governing employee evaluations. These new provisions stem from legislation passed during the 2011 Legislative Session, specifically Senate Bill 1108. Among other matters, the two new provisions specify when certain aspects of the employee evaluations are

to be performed (Sections 120.02 and 120.03). Other revisions found in the proposed rule include changes to local district evaluation policy standards and a correction to a code reference.

The agency states that negotiated rulemaking was not conducted because the revisions clarify existing law and were drafted in response to public input.

The temporary and proposed rule appears to be authorized pursuant to section 33-107, Idaho Code.

7. IDAPA 08.02.03 - Rules Governing Thoroughness (Docket No. 08-0203-1103) - The State Board of and State Department of Education submits notice of proposed rulemaking at IDAPA 08.02.03 - Rules Governing Thoroughness. The proposed rule eliminates references to the Direct Writing Assessment and the Direct Math Assessment. The agency states that it received a waiver to discontinue the two assessments for school year 2010-2011. The Department also notes that resources used to fund the two assessments are being used to develop end-of-course assessments.

The agency states that negotiated rulemaking was not conducted because the revisions in the proposed rule comply with actions the State Board of Education took in June, 2010.

The proposed rule appears to be authorized pursuant to Section 33-107, Code Section.

8. IDAPA 08.02.03 - Rules Governing Thoroughness (Docket No. 08-0203-1104) - The State Board of and State Department of Education submits notice of temporary and proposed rulemaking at IDAPA 08.02.03 - Rules Governing Thoroughness. The temporary and proposed rule includes two new provisions: (1) the rule provides that a student participating in the "dual credit for early completers" program as provided in section 33-1626, Idaho Code (House Bill 345, passed during the 2011 Session) does not need to have completed a senior project prior to participating in the program but must complete the senior project by the student's final year of high school (Section 106.02); and (2) the rule provides an exemption for certain students from the requirement to take a college entrance exam before the end of the student's 11th grade. The exemption applies to certain students in Individual Education Plans and certain students enrolled in a Limited English Proficient program.

The agency states that negotiated rulemaking was not conducted because the revisions in the temporary and proposed rule clarify existing law and make the rule consistent with the passage of recent legislation.

The temporary rule took effect August 11, 2011.

The temporary and proposed rule appears to be authorized pursuant to sections 67-5226 and 33-105.

cc: State Board of and State Department of Education
Superintendent Tom Luna, Camille Wells, Luci Willits, Christina Linder, & Wendy St. Michell

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.01 - RULES GOVERNING ADMINISTRATION

DOCKET NO. 08-0201-1101

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, Section 33-107, Idaho Code, and Section 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

**Tuesday, October 18, 2011
at 4:00 p.m. (MDT)**

**Idaho State Department of Education
Barbara Morgan Conference Room
650 West State Street, 2nd Floor
Boise, Idaho**

The hearing site 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 rule change deals with two aspects of collective bargaining and negotiations. First, the Students Come First law now requires district negotiations with personnel be conducted in open session and available for the public to attend. This rule would clarify that open negotiations should adhere to Idaho's Open Meeting Law Manual.

Second, the Students Come First law now limits collective bargaining to compensation and benefits. The State Department of Education received feedback from districts, after districts completed collective bargaining this year, that the definition of compensation and benefits needed to be further clarified. This rule change defines salary as "any monies paid to an employee pursuant to an employment contract, the form of which is approved by the Superintendent of Public Instruction pursuant to Section 33-513, Idaho Code, and the process by which the school district board of trustees will determine local student achievement share awards." The rule change also specifies that the inclusion of any other items in a negotiated agreement is prohibited.

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 resulting from this rulemaking: NA

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed rule changes were suggestions received from education stakeholders. The proposed language is clarifying existing law.

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 Camille Wells at (208) 332-6817.

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 Wednesday, October 26, 2011.

DATED this 31st Day of August, 2011.

Tom Luna
Superintendent of Public Instruction
State Department of Education
650 West State Street, 2nd Floor
P.O. Box 83720
Boise, ID 83720-0027
(208) 332-6812; fax (208) 334-2228

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0201-1101

151. NEGOTIATIONS.

01. Open Meeting. For the purposes of Section 33-1273A, Idaho Code, all open meeting negotiations shall adhere to Sections 67-2340 through 67-2344 and 67-2346 through 67-2347, Idaho Code, including posting agendas and such notices on the main page of the school district's website. ()

02. Collective Bargaining Limited to Compensation and Benefits. Items that may be included in master contracts or negotiated agreements shall be limited to the specific items defined under the terms "Compensation" and "Benefits" under Section 33-1272, Idaho Code. For the purposes of the definition of "Compensation" as stated in Section 33-1272, Idaho Code, the term "salary" means: ()

a. Any monies paid to an employee pursuant to an employment contract, the form of which is approved by the Superintendent of Public Instruction pursuant to Section 33-513, Idaho Code; and ()

b. The process by which the school district board of trustees will determine local student achievement share awards pursuant to Section 33-1004I, Idaho Code. ()

c. The inclusion of any other items in a master contract or negotiated agreement is hereby prohibited. Any items included in violation of this provision are hereby declared null, void and of no force or effect. ()

151.2. -- 199. (RESERVED)

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.02 - RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-1102

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, Section 33-107, Idaho Code, and Section 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

**Tuesday, October 18, 2011
at 4:00 p.m. (MDT)**

**Idaho State Department of Education
Barbara Morgan Conference Room
650 West State Street, 2nd Floor
Boise, Idaho**

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

Idaho Code requires the State Board of Education to establish standards for the accreditation of any secondary school and set standards for all elementary schools as it may deem necessary. In August, 2007, the State Board of Education eliminated the Idaho State Accreditation process and adopted the Northwest Association of Accredited Schools (NAAS) standards for accreditation purposes due to the fact that a duplication of efforts existed between the two processes.

NAAS has changed their name to the Northwest Accreditation Commission (NWAC) to better reflect their organizational structure as a commission rather than an association due to changes in membership and representation. The standards by which schools are accredited in Idaho have not changed as a result of the name change.

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 resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed rule changes are technical correction to accurately reflect the accreditation standards organization's name change.

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 proposed rule, contact Luci Willits at (208) 332-6812.

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 Wednesday, October 26, 2011.

DATED this 31st Day of August, 2011.

Tom Luna
Superintendent of Public Instruction
State Department of Education
650 West State Street, 2nd Floor
P.O. Box 83720
Boise, ID 83720-0027
(208) 332-6812; fax (208) 334-2228

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0202-1102

140. ACCREDITATION.

All public secondary schools, serving any grade(s) 9-12, will be accredited. Accreditation is voluntary for elementary schools, grades K-8, and private and parochial schools. (Section 33- 119, Idaho Code) (4-2-08)

01. Continuous School Improvement Plan. Schools will develop continuous school improvement plans focused on the improvement of student performance. (4-2-08)

02. Standards. Schools will meet the accreditation standards of the Northwest ~~Association of Accredited Schools~~ Accreditation Commission. ~~(4-2-08)~~()

03. Reporting. An annual accreditation report will be submitted to the State Board of Education. (4-2-08)

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.02 - RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-1103

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, Section 33-107, Idaho Code, and Section 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

**Tuesday, October 18, 2011
at 4:00 p.m. (MDT)**

**Idaho State Department of Education
Barbara Morgan Conference Room
650 West State Street, 2nd Floor
Boise, Idaho**

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

The Professional Standards Commission (PSC) approved two clarifications and a revision to endorsements to ensure that the endorsements for certification in the following areas are meeting current needs and adequately preparing candidates for these positions:

08.02.02.021 Endorsements - This rule clarification is in response to a simple oversight. The Exceptional Child Certificate must include an endorsement because it is not a stand-alone certificate. The introduction to the Endorsements section of Idaho Code does not include the Exceptional Child Certificate as one of the certificates eligible for endorsement.

08.02.02.023.04 English as a New Language (ENL) (K-12) - This rule clarification is in response to the need for a more clearly stated intent of the endorsement language. The manner in which the endorsement language is worded, unfortunately allows for interpretation that any Modern Language could meet the four (4) semester credit hour requirement. If that were the case, any four (4) credits of English, for example, could be argued as meeting the requirement. The intent of the endorsement is that the candidate shall have four (4) semester credit hours of Modern Foreign Languages to better serve ENL students. By making this revision to the endorsement language, current and best practices will be more accurately reflected.

08.02.02.027.02 School Psychologist Endorsement - The Idaho School Psychologists Association (ISPA) proposed to PSC that the Idaho State Department of Education accept National Certification requirements for School Psychologists (NCSP). This program is offered through the National Association of School Psychologists (NASP), and should be considered as an additional avenue to meet state certification and recertification requirements.

The process for certification and recertification through NASP are significantly more rigorous than current Idaho requirements. Currently, 33 states (including those neighboring Idaho) accept these National Certification requirements, and the PSC recommends that Idaho also accepts this practice.

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 resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not

conducted because the proposed rule changes were suggested by PSC who receives input from a full spectrum of education stakeholders.

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 proposed rule, contact Christina Linder at (208) 332-6886.

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 Wednesday, October 26, 2011.

DATED this 31st Day of August, 2011.

Tom Luna
Superintendent of Public Instruction
State Department of Education
650 West State Street, 2nd Floor
P.O. Box 83720
Boise, ID 83720-0027
(208) 332-6812; fax (208) 334-2228

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0202-1103

021. ENDORSEMENTS.

Holders of a Secondary Certificate or a Standard Elementary Certificate, Exceptional Child Certificate, Standard Occupational Specialist Certificate, and Advanced Occupational Specialist Certificate may be granted endorsements in subject areas as provided herein. An official statement of competency in a teaching area or field is acceptable in lieu of courses for a teaching major or minor if such statements originate in the department or division of the accredited college or university in which the competency is established and are approved by the director of teacher education of the recommending college or university. To add an endorsement to an existing credential, an individual shall complete the credit hour requirements as provided herein and shall also meet or exceed the state qualifying score on appropriate, state approved content, pedagogy and performance assessments. When converting semester credit hours to quarter credit hours, two (2) semester credit hours is equal to three (3) quarter credit hours. ~~(3-29-10)~~()

(BREAK IN CONTINUITY OF SECTIONS)

023. ENDORSEMENTS E - L.

01. Earth Science (6-12). Twenty (20) semester credit hours including course work in each of the following: Earth Science, Astronomy, and Geology. (4-11-06)

02. Economics (6-12). Twenty (20) semester credit hours to include a minimum of three (3) semester credit hours of micro-economics, a minimum of three (3) semester credit hours of macro-economics, and a minimum of six (6) semester credit hours of Personal Finance/Consumer Economics/Economics Methods. Remaining course

work may be selected from economics and finance course work in one (1) or more of the following areas: Agriculture Science and Technology, Business Education, Economics, Family and Consumer Science, or Marketing Education. (4-11-06)

03. English (6-12). Twenty (20) semester credit hours, including three (3) semester credit hours in Linguistics/Grammar, three (3) semester credit hours in American Literature, three (3) semester credit hours in English Literature, six (6) semester credit hours in Advanced Composition, excluding the introductory sequence designed to meet general education requirements. Remaining credits must be completed in the English Department, and must include some course work in Writing Methods for Teachers of Secondary Students. (3-16-04)

04. English as a New Language (ENL) (K-12). Twenty (20) semester credit hours to include four (4) semester credit hours in Modern Foreign Languages; three (3) semester credit hours in Cultural Diversity; three (3) semester credit hours in ENL Methods; three (3) semester credits in Linguistics; three (3) semester credit hours in Foundations, Federal and State Law, Theory, Testing/Identification of Limited English Proficient Students; one (1) semester credit in ENL Practicum or Field Experience; and three (3) semester credit hours in an ENL related elective. ~~(3-30-07)~~()

05. Family and Consumer Science (6-12). (3-16-04)

a. Thirty (30) semester credit hours to include coursework in each of the following: Child/Human Development; Human/Family Relations; Directed Laboratory Experience in Childcare; Clothing and Textiles, Cultural Dress, Fashion Merchandising, or Design Nutrition; Food Preparation, Food Production, or Culinary Arts; Housing, Interior Design, Home Management, or Equipment; Consumer Economics or Family Resource Management; Introduction to Family Consumer Sciences; and, Integration of Family Consumer Sciences or Family Consumer Science Methods. (3-16-04)

b. Occupational Teacher Preparation as provided in Sections 034 through 038. (3-16-04)

06. Foreign Language (6-12 or K-12). Twenty (20) semester credit hours in a specific foreign language including course work in two (2) or more of the following areas: Grammar, Conversation, Composition, Culture, and Literature; and course work in Foreign Language Methods. To obtain an endorsement in a specific foreign language (K-12), applicants holding a Secondary Certificate must complete an elementary methods course. (4-11-06)

07. Geography (6-12). Twenty (20) semester credit hours including course work in Cultural Geography and Physical Geography, and a maximum of six (6) semester credit hours in World History Survey. Remaining semester credit hours must be selected from Geography. (4-11-06)

08. Geology (6-12). Twenty (20) semester credit hours in the area of Geology. (3-16-04)

09. Gifted and Talented (K-12). Twenty (20) semester credit hours, to include a minimum of three (3) semester credits hours in each of the following: Foundations of Gifted and Talented Education; Creative/Critical Thinking Skills for Gifted and Talented Students; Social and Emotional Needs of Gifted and Talented Students; Curriculum and Instruction for Gifted and Talented Students; and Practicum and Program Design for Gifted and Talented Education. Remaining course work must be in the area of gifted education. (5-8-09)

10. Health (6-12 or K-12). Twenty (20) semester credit hours to include course work in Organization/Administration/Planning of a School Health Program; Health and Wellness; Secondary Methods of Teaching Health; Elementary methods of Teaching Health; Mental/Emotional Health; Nutrition; Human Sexuality; Substance Use and Abuse. Remaining semester credits must be in health-related course work. (4-7-11)

11. History (6-12). Twenty (20) semester credit hours to include a minimum of six (6) semester credit hours of U.S. History Survey and a minimum of six (6) semester credit hours of World History Survey. Remaining course work must be in History. Course work may include three (3) semester credit hours in American Government. (4-11-06)

12. Humanities (6-12). An endorsement in English, History, Music, Visual Art, Drama, or Foreign

Language and twenty (20) semester credit hours in one of the following areas or ten (10) semester credit hours in each of two (2) of the following areas: Literature, Music, Foreign Language, Humanities Survey, History, Visual Art, Philosophy, Drama, Comparative World Religion, Architecture, and Dance. (4-11-06)

- 13. Journalism (6-12).** Follow one (1) of the following options: (3-16-04)
- a.** Option I: Twenty (20) semester credit hours to include a minimum of sixteen (16) semester credit hours in Journalism and four (4) semester credit hours in English. (3-16-04)
 - b.** Option II: Possess an English endorsement with a minimum of six (6) semester credit hours in Journalism. (3-16-04)
- 14. Library Media Specialist (K-12).** Twenty (20) semester credit hours in the field of Education Media or Library Science, including a minimum of: (5-8-09)
- a.** Collection Development/Materials Selection; (5-8-09)
 - b.** Literature for Youth or Children; (5-8-09)
 - c.** Organization of Information (Cataloging and Classification); (5-8-09)
 - d.** School Library Administration/Management; and (5-8-09)
 - e.** Library Information Technologies and Information Literacy. (5-8-09)
- 15. Literacy (K-12).** Twenty (20) semester credit hours in the area of Literacy including a minimum of three (3) semester credit hours in each of the following areas: Foundations of Reading or Developmental Reading; Reading in the Content Area; Literature for Youth; Psycholinguistics or Language Development; Corrective/Diagnostic/Remedial Reading; and Teaching Writing. To obtain a Literacy endorsement, applicants must complete the Idaho Comprehensive Literacy Course or the Idaho Comprehensive Literacy Assessment. Remaining credits must be taken in the area of teaching literacy. (5-8-09)

(BREAK IN CONTINUITY OF SECTIONS)

027. PUPIL PERSONNEL SERVICES CERTIFICATE.

Persons who serve as school counselors, school psychologists, speech-language pathologists, school social workers, school nurses and school audiologists are required to hold the Pupil Personnel Services Certificate, with the respective endorsement(s) for which they qualify. (3-16-04)

01. Counselor Endorsement (K-12). To be eligible for a Pupil Personnel Services Certificate endorsed Counselor K-12, a candidate must have satisfied the following requirements. The Pupil Personnel Services Certificate with a Counselor endorsement is valid for five (5) years. Six (6) semester credit hours are required every five (5) years in order to renew the endorsement. (5-8-09)

a. Hold a master's degree and provide verification of completion of an approved program of graduate study in school guidance and counseling from a college or university approved by the Idaho State Board of Education or the state educational agency of the state in which the program was completed. The program must include successful completion of seven hundred (700) clock hours of supervised field experience, seventy-five percent (75%) of which must be in a K-12 school setting. Substantial amounts of this K-12 experience must be in each of the following levels: elementary, middle/junior high, and high school. Previous school counseling experience may be considered to help offset the field experience clock hour requirement. (5-8-09)

b. An institutional recommendation is required for a Counselor K-12 Endorsement. (5-8-09)

02. School Psychologist Endorsement. This endorsement is valid for five (5) years. In order to renew the endorsement, six (6) professional development credits are required every five (5) years in order to renew the endorsement. The renewal credit requirement may be waived if the applicant holds a current valid National Certification for School Psychologists (NCSP) offered through the National Association of School Psychologists (NASP). To be eligible for initial endorsement, a candidate must complete a minimum of sixty (60) graduate semester credit hours which must be accomplished through one (1) of the following options: ~~(3-16-04)~~()

a. Completion of an approved thirty (30) semester credit hour, or forty-five (45) quarter credit hours, master's degree in education or psychology and completion of an approved thirty (30) semester credit hour, or forty-five (45) quarter credit hour, School Psychology Specialist Degree program, and completion of a minimum of twelve hundred (1,200) clock-hour internship within a school district under the supervision of the training institution and direct supervision of a certificated school psychologist. (4-7-11)

b. Completion of an approved sixty (60) semester credit hour, or ninety (90) quarter credit hour, master's degree program in School Psychology, and completion of a minimum of twelve hundred (1,200) clock-hour internship within a school district under the supervision of the training institution and direct supervision of a certificated school psychologist. (4-7-11)

c. Completion of an approved sixty (60) semester credit hour, or ninety (90) quarter credit hour, School Psychology Specialist degree program which did not require a master's degree as a prerequisite, with laboratory experience in a classroom, which may include professional teaching experience, student teaching or special education practicum, and completion of a minimum twelve hundred (1,200) clock-hour internship within a school district under the supervision of the training institution and direct supervision of a certificated school psychologist. (5-8-09)

d. Earn a current and valid National Certification for School Psychologists (NCSP) issued by the National Association of School Psychologists (NASP). ()

03. School Nurse Endorsement. This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement may be accomplished through completion of either requirements in Subsections 027.03.a. or 027.03.b. in addition to the requirement of Subsection 027.03.c. (3-29-10)

a. The candidate must possess a valid nursing (RN) license issued by the Idaho State Board of Nursing, and a bachelor's degree in nursing, education, or a health-related field from an accredited institution. (5-8-09)

b. The candidate must possess a valid professional nursing (RN) license issued by the Idaho State Board of Nursing and have completed nine (9) semester credit hours from a university or college in at least three (3) of the following areas: (5-8-09)

i. Health program management; (5-8-09)

ii. Child and adolescent health issues; (5-8-09)

iii. Counseling, psychology, or social work; or (5-8-09)

iv. Methods of instruction. (5-8-09)

c. Additionally, each candidate must have two (2) years' full-time (or part-time equivalent) school nursing, community health nursing, or any area of pediatric, adolescent, or family nursing experience. (5-8-09)

04. Interim Endorsement - School Nurse. This certificate will be granted for those who do not meet the educational and/or experience requirements but who hold a valid professional nursing (RN) license in Idaho. An Interim Certificate - will be issued for three (3) years while the applicant is meeting the educational requirements, and it is not renewable. (3-29-10)

05. Speech-Language Pathologist Endorsement. This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement will be issued to candidates who possess a master's degree from an accredited college or university in a speech/language pathology program approved by the State Board of Education, and who receive an institutional recommendation from an accredited college or university. (3-16-04)

06. Audiology Endorsement. This endorsement is valid for five (5) years. Six (6) credits are required every five (5) years in order to renew the endorsement. Initial endorsement will be issued to candidates who possess a master's degree from an accredited college or university in an audiology program approved by the State Board of Education, and who receive an institutional recommendation from an accredited college or university. (3-16-04)

07. School Social Worker Endorsement. This endorsement is valid for five (5) years. Six (6) credit hours are required every five (5) years in order to renew the endorsement. Initial endorsement may be accomplished through possession of a social work certificate issued by the Idaho Bureau of Occupational Licenses, an institutional recommendation, and completion of one (1) of the following options: (3-16-04)

a. A master's degree in social work from an Idaho college or university approved by the State Board of Education, or a master's degree in social work from an out-of-state college or university. The program must be currently approved by the state educational agency of the state in which the program was completed. (3-16-04)

b. A master's degree in guidance and counseling, sociology, or psychology plus thirty (30) semester credit hours of graduate work in social work education, including course work in all the following areas: understanding the individual; casework method; field placement; social welfare programs and community resources; and research methods. (3-16-04)

08. Interim Endorsement-Speech Language Pathologist. This certificate will be granted for those who do not meet the educational requirements but who hold a bachelor's degree in Speech language pathology and are pursuing a master's degree in order to obtain the pupil personnel services certificate endorsed in speech language pathology. An Interim Certificate will be issued for three (3) years while the applicant is meeting the educational requirements, and it is not renewable. (3-29-10)

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.02 - RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-1104

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, Section 33-107, Idaho Code, and Section 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

**Tuesday, October 18, 2011
at 4:00 p.m. (MDT)**

**Idaho State Department of Education
Barbara Morgan Conference Room
650 West State Street, 2nd Floor
Boise, Idaho**

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

The Professional Standards Commission (PSC) approved the need for an Interim Certificate for the Reinstatement of an Expired Certificate. This rule change responds to a statewide challenge in meeting federal guidelines for Highly Qualified status and teacher shortages. This allows for greater flexibility and a shorter timeline for Idaho-trained educators to return to the teaching field.

Currently, if an out-of-state teacher comes to teach in Idaho but does not meet all of Idaho's certification requirements, they are granted an interim certificate. This rule change would allow in-state teachers who have allowed their certifications to lapse to be granted an interim certificate while they take the proper coursework to become certified. This allows for greater flexibility and a shorter timeline for Idaho-trained educators to return to the teaching field. Simply put, this change allows for a three (3) year interim certificate to be issued to any Idaho-trained educator whose certificate has expired.

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 resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed rule changes were suggested by PSC who receives input from a full spectrum of education stakeholders.

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 proposed rule, contact Christina Linder at (208) 332-6886.

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 Wednesday, October 26, 2011.

DATED this 31st Day of August, 2011.

Tom Luna
Superintendent of Public Instruction
State Department of Education
650 West State Street, 2nd Floor
P.O. Box 83720
Boise, ID 83720-0027
(208) 332-6812; fax (208) 334-2228

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0202-1104

015. IDAHO INTERIM CERTIFICATE.

01. Issuance of Interim Certificate. The State Department of Education is authorized to issue a three-year (3) interim certificate to those applicants who hold a valid certificate/license from another state or other entity that participates in the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement. An interim certificate is nonrenewable except under extenuating circumstances. (4-2-08)

a. Idaho Comprehensive Literacy Course. For all Idaho teachers working on interim certificates, alternate routes or coming from out of the state, completion of a state approved reading instruction course shall be a one-time requirement for full certification. (4-7-11)

b. Technology. Out-of-state applicants will be reviewed by the hiring district for technology deficiencies and may be required to take technology courses to improve their technology skills. (4-7-11)

02. Reinstatement of Expired Certificate. An individual holding an expired Idaho certificate, that has lapsed for one (1) year or greater, may be issued a nonrenewable three-year interim certificate. During the validity period of the interim certificate, the applicant must meet all current requirements listed for the specific certificate and endorsement(s) including the appropriate content, pedagogy, and performance assessments. ()

023. Foreign Institutions. An educator having graduated from a foreign institution that is listed in the Accredited Degree-Granting Institutions section of the “Accredited Institutions of Postsecondary Education” and having a valid/current teaching certificate/license from the country or province in which the foreign institution is located, may be issued a non-renewable, three-year interim certificate. The applicant must also complete the requirements listed in Section 013 of these rules. (4-2-08)

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.02 - RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-1105

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, Section 33-107, Idaho Code, and Section 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

**Tuesday, October 18, 2011
at 4:00 p.m. (MDT)**

**Idaho State Department of Education
Barbara Morgan Conference Room
650 West State Street, 2nd Floor
Boise, Idaho**

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

The Professional Standards Commission (PSC) recommends revising the IDAPA language so that the “official vehicle for approving teacher education programs” is referred to only as the “accepted national standards for the accreditation of educator preparation.” This will allow the accreditation process to remain focused on a single set of nationally recognized standards, yet retain necessary state control. The utilization and emphasis on the Idaho Standards for Initial Certification of Professional School Personnel enables the Idaho State Board of Education to have more oversight of the teacher preparation program approval process.

The National Council for the Accreditation of Teacher Education (NCATE) is undergoing a merger with the Teacher Education Accreditation Council (TEAC) to consolidate efforts into a single national accrediting organization. The planned name for this new organization is the Council for the Accreditation of Educator Preparation (CAEP).

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 resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed rule changes were suggested by PSC who receives input from a full spectrum of education stakeholders.

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 proposed rule, contact Christina Linder at (208) 332-6886.

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 Wednesday, October 26, 2011.

DATED this 31st Day of August, 2011.

Tom Luna
Superintendent of Public Instruction
State Department of Education

650 West State Street, 2nd Floor
P.O. Box 83720, Boise, ID 83720-0027
(208) 332-6812; fax: (208) 334-2228

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0202-1105

100. OFFICIAL VEHICLE FOR APPROVING TEACHER EDUCATION PROGRAMS.
(Section 33-114, Idaho Code) (4-1-97)

01. The Official Vehicle for the Approval of Teacher Education Programs. The official vehicle for the approval of teacher education programs will be the ~~National Council for Accreditation of Teacher Education (NCATE) approved~~ Idaho Standards for the Initial Certification of Professional School Personnel ~~as approved on June 2004~~ that are based upon the accepted national standards for the accreditation of educator preparation and include state-specific, core teaching requirements. The State Department of Education will transmit to the head of each Idaho college or department of education a copy of all revisions to the Idaho Standards for the Initial Certification of Professional School Personnel. Such revisions will ~~not~~ take effect ~~on approval evaluations of the Idaho program until~~ and must be implemented within a period not to exceed two (2) years after notification of such revision. ~~The two (2) year deferral may be waived upon written request of the head of the college or department to be evaluated~~ (4-6-05)()

~~**02. Effective Date.** The effective date for the NCATE approved Idaho Standards for the Initial Certification of Professional School Personnel is September 1, 2001. Students with junior or senior standing and currently enrolled in an institution's program that does not meet the Standards will be eligible for certification in Idaho after successfully completing their program if this program is completed within two (2) years of the September 1, 2001 effective date. All programs not meeting the Standards will be responsible for informing enrolled students of their non-compliance.~~ (3-30-01)

~~**03. Reference Availability.** The Idaho Standards for the Initial Certification of Professional School Personnel, are incorporated herein by reference in Subsection 004.01, and are available for inspection in the Office of the State Board of Education. Copies of this document can be found on the Office of the State Board of Education's website at www.boardofed.idaho.gov.~~ (3-30-01)()

~~**04. Continuing Accreditation Approval.** ()~~

~~**a.** The state of Idaho will follow the a National accreditation Council for Accreditation of Teacher Education (NCATE) model and by which institutions shall pursue continuing approval at the end of through a full program review every seven (7) years following baseline approval. The full program review shall be based upon the Idaho Standards for Initial Certification of Professional School Personnel.~~ (3-16-04)()

~~**b.** The state of Idaho will additionally conduct focused reviews of state-specific, core teaching requirements in the interim, not to exceed every third year following the full program review.~~ ()

~~**05. Payment Responsibilities for Teacher Preparation Program Reviews.** The Professional Standards Commission is responsible for Idaho teacher preparation program reviews, including assigning responsibility for paying for program reviews. To implement the reviews, it is necessary that: (4-6-05)~~

~~**a.** The Professional Standards Commission pay for all in-state expenses for on-site teacher preparation reviews from its budget. (4-6-05)~~

~~**b.** Requesting institutions pay for all out-of-state expenses related to on-site teacher preparation program reviews. (4-6-05)~~

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.02 - RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-1106

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, Section 33-107, Idaho Code, and Section 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

**Tuesday, October 18, 2011
at 4:00 p.m. (MDT)**

**Idaho State Department of Education
Barbara Morgan Conference Room
650 West State Street, 2nd Floor
Boise, Idaho**

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

The Students Come First laws require that parent input be included in teacher and school-based administrator evaluations and that at least fifty percent (50%) of administrator and teacher evaluations are based on growth in student achievement, as determined by the board of trustees. The changes to this rule further clarify the new parent input and growth in student achievement requirements. The domains and components of the teacher evaluation framework have been made more consistent with Charlotte Danielson's Framework for Teaching Second Edition (as referenced in the rule), and citations to Idaho Code have been corrected.

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 resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed language is clarifying existing law and was crafted around public feedback requesting the clarification.

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 proposed rule, contact Christina Linder at (208) 332-6886.

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 Wednesday, October 26, 2011.

DATED this 31st Day of August, 2011.

Tom Luna
Superintendent of Public Instruction
State Department of Education

650 West State Street, 2nd Floor
P.O. Box 83720, Boise, ID 83720-0027
(208) 332-6812; fax: (208) 334-2228

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0202-1106

120. LOCAL DISTRICT EVALUATION POLICY.

Each school district board of trustees will develop and adopt policies for teacher performance evaluation in which criteria and procedures for the evaluation of certificated personnel are research based and aligned to Charlotte Danielson's Framework for Teaching Second Edition domains and components of instruction. The process of developing criteria and procedures for certificated personnel evaluation will allow opportunities for input from those affected by the evaluation; i.e., trustees, administrators and teachers. The evaluation policy will be a matter of public record and communicated to the certificated personnel for whom it is written. (3-29-10)

01. Standards. Each district evaluation model shall be aligned to state minimum standards that are based on Charlotte Danielson's Framework for Teaching Second Edition domains and components of instruction. Those domains and components include: (3-29-10)

- a. Domain 1 - Planning and Preparation: (3-29-10)
 - i. Demonstrating Knowledge of Content and Pedagogy; (3-29-10)
 - ii. Demonstrating Knowledge of Students; (3-29-10)
 - iii. Setting Instructional Goals Outcomes; ~~(3-29-10)~~()
 - iv. Demonstrating Knowledge of Resources; (3-29-10)
 - v. Designing Coherent Instruction; and (3-29-10)
 - vi. Assessing Designing Student Learning Assessments. ~~(3-29-10)~~()
- b. Domain 2 - Learning The Classroom Environment: ~~(3-29-10)~~()
 - i. Creating an Environment of Respect and Rapport; (3-29-10)
 - ii. Establishing a Culture for Learning; (3-29-10)
 - iii. Managing Classroom Procedures; (3-29-10)
 - iv. Managing Student Behavior; and (3-29-10)
 - v. Organizing Physical Space. (3-29-10)
- c. Domain 3 - Instruction and Use of Assessment: (3-29-10)
 - i. Communicating Clearly and Accurately with Students; ~~(3-29-10)~~()
 - ii. Using Questioning and Discussion Techniques; (3-29-10)
 - iii. Engaging Students in Learning; (3-29-10)
 - iv. Providing Feedback to Students Using Assessment in Instruction; and ~~(3-29-10)~~()
 - v. Demonstrating Flexibility and Responsiveness; and. ~~(3-29-10)~~()
 - vi. Use Assessment to Inform Instruction and Improve Student Achievement. ~~(3-29-10)~~

- d. Domain 4 - Professional Responsibilities: (3-29-10)
- i. Reflecting on Teaching; (3-29-10)
- ii. Maintaining Accurate Records; (3-29-10)
- iii. Communicating with Families; (3-29-10)
- iv. ~~Contributing to the School and District~~ Participating in a Professional Community; ~~(3-29-10)~~ ()
- v. Growing and Developing Professionally; and (3-29-10)
- vi. Showing Professionalism. (3-29-10)

02. Parent Input. For evaluations conducted on or after July 1, 2012, input from the parents and guardians of students shall be considered as a factor in the evaluation of any school-based certificated employees. For such certificated employees on a Category A, B or grandfathered renewable contract, this input shall be part of the first half of the evaluation that must be completed before February 1 of each year (Section 33-513 and 33-514, Idaho Code). ()

03. Student Achievement. For evaluations conducted on or after July 1, 2012, all certificated employees must receive an evaluation in which at least fifty percent (50%) of the evaluation results are based on objective measures of growth in student achievement as determined by the board of trustees. This student achievement portion of the evaluation shall be completed by the end of the school year in which the evaluation takes place (Section 33-513 and 33-514, Idaho Code). ()

024. Participants. Each district evaluation policy will include provisions for evaluating all certificated employees identified in Section 33-1001, Idaho Code, Subsection 136, and each school nurse and librarian (~~Section 33-515, Idaho Code~~). Policies for evaluating certificated employees should identify the differences, if any, in the conduct of evaluations for nonrenewable contract personnel and renewable contract personnel. (4-1-97)()

035. Evaluation Policy - Content. Local school district policies will include, at a minimum, the following information: (4-1-97)

- a. Purpose -- statements that identify the purpose or purposes for which the evaluation is being conducted; e.g., individual instructional improvement, personnel decisions. (4-1-97)
- b. Evaluation criteria -- statements of the general criteria upon which certificated personnel will be evaluated. (4-1-97)
- c. Evaluator -- identification of the individuals responsible for appraising or evaluating certificated personnel performance. The individuals assigned this responsibility should have received training in evaluation. (4-1-97)
- d. Sources of data -- description of the sources of data used in conducting certificated personnel evaluations. For classroom teaching personnel, classroom observation should be included as one (1) source of data. (4-1-97)
- e. Procedure -- description of the procedure used in the conduct of certificated personnel evaluations. (4-1-97)
- f. Communication of results -- the method by which certificated personnel are informed of the results of evaluation. (4-1-97)
- g. Personnel actions -- the action, if any, available to the school district as a result of the evaluation and the procedures for implementing these actions; e.g., job status change. Note: in the event the action taken as a result of evaluation is to not renew an individual's contract or to renew an individual's contract at a reduced rate,

school districts should take proper steps to follow the procedures outlined in Sections 33-513 through 33-515, Idaho Code in order to assure the due process rights of all personnel. (4-1-97)

h. Appeal -- the procedure available to the individual for appeal or rebuttal when disagreement exists regarding the results of certificated personnel evaluations. (4-1-97)

i. Remediation -- the procedure available to provide remediation in those instances where remediation is determined to be an appropriate course of action. (4-1-97)

j. Monitoring and evaluation. -- A description of the method used to monitor and evaluate the district's personnel evaluation system. (4-1-97)

k. Professional development and training -- a plan for ongoing training for evaluators/administrators and teachers on the districts evaluation standards, tool and process. (3-29-10)

l. Funding -- a plan for funding ongoing training and professional development for administrators in evaluation. (3-29-10)

m. Collecting and using data -- a plan for collecting and using data gathered from the evaluation tool that will be used to inform professional development. (3-29-10)

n. A plan for how evaluations will be used to identify proficiency and define a process that identifies and assists teachers in need of improvement. (3-29-10)

o. A plan for including all stakeholders including, but not limited to, teachers, board members, and administrators in the development and ongoing review of their teacher evaluation plan. (3-29-10)

046. Evaluation Policy - Frequency of Evaluation. The evaluation policy should include a provision for evaluating all certificated personnel on a fair and consistent basis. *At a minimum, the policy must provide standards for evaluating the following personnel: All contract personnel shall be evaluated at least once annually.* (4-1-97)()

~~**a.** First, second, and third year nonrenewable contract personnel will be evaluated at least once prior to the beginning of the second semester of the school year.~~ (4-1-97)

~~**b.** All renewable contract personnel will be evaluated at least once annually.~~ (4-1-97)

057. Evaluation Policy - Personnel Records. Permanent records of each certificated personnel evaluation will be maintained in the employee's personnel file. All evaluation records will be kept confidential within the parameters identified in federal and state regulations regarding the right to privacy (Section 33-518, Idaho Code). (4-1-97)

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.03 - RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-1103

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, Section 33-107, Idaho Code, and Section 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

**Tuesday, October 18, 2011
at 4:00 p.m. (MDT)**

**Idaho State Department of Education
Barbara Morgan Conference Room
650 West State Street, 2nd Floor
Boise, Idaho**

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

In June, 2010, the State Department of Education (SDE) received a waiver to discontinue the Direct Math (DMA) and Direct Writing Assessments (DWA) for school year 2010-2011. The DWA and DMA have served their purpose; SDE is focused on end-of-course assessments, the next generation of assessments, and the administration of a college entrance exam for all juniors. There are also concerns about reliability in scoring the DMA and DWA tests as they are hand scored. The changes removes references to the Direct Writing Assessment (DMA) and Direct Math Assessment (DMA) tests.

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

Previous resources used to fund DWA and DMA are being used to develop end-of-course assessments.

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: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed rule changes are technical corrections to comply with actions of the State Board of Education in June, 2010.

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 proposed rule, contact Luci Willits at (208) 332-6812.

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 Wednesday, October 26, 2011.

DATED this 31st Day of August, 2011.

Tom Luna
Superintendent of Public Instruction
State Department of Education

650 West State Street, 2nd Floor
P.O. Box 83720, Boise, ID 83720-0027
(208) 332-6812; fax: (208) 334-2228

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0203-1103

111. ASSESSMENT IN THE PUBLIC SCHOOLS.

01. Philosophy. Acquiring the basic skills is essential to realization of full educational, vocational and personal/social development. Since Idaho schools are responsible for instruction in the basic scholastic skills, the State Board of Education has a vested interest in regularly surveying student skill acquisition as an index of the effectiveness of the educational program. This information can best be secured through objective assessment of student growth. The State Board of Education will provide oversight for all components of the comprehensive assessment program. (4-2-08)

02. Purposes. The purpose of assessment in the public schools is to: (3-15-02)

- a. Measure and improve student achievement; (3-15-02)
- b. Assist classroom teachers in designing lessons; (3-15-02)
- c. Identify areas needing intervention and remediation, and acceleration; (3-15-02)
- d. Assist school districts in evaluating local curriculum and instructional practices in order to make needed curriculum adjustments; (3-15-02)
- e. Inform parents and guardians of their child's progress; (3-15-02)
- f. Provide comparative local, state and national data regarding the achievement of students in essential skill areas; (3-15-02)
- g. Identify performance trends in student achievement across grade levels tested and student growth over time; and (3-15-02)
- h. Help determine technical assistance/consultation priorities for the State Department of Education. (3-15-02)

03. Content. The comprehensive assessment program will consist of multiple assessments, including, the Idaho Reading Indicator (IRI), ~~the Direct Writing Assessment (DWA), the Direct Mathematics Assessment (DMA),~~ the National Assessment of Educational Progress (NAEP), the Idaho English Language Assessment, the Idaho Standards Achievement Tests (ISAT), ~~and~~ the Idaho Alternate Assessment, and a college entrance exam. (4-2-08)()

04. Testing Population. All students in Idaho public schools, grades kindergarten through twelve (K-12), are required to participate in the comprehensive assessment program approved by the State Board of Education and funded. (4-2-08)

a. All students who are eligible for special education shall participate in the statewide assessment program. (4-6-05)

b. Each student's individualized education program team shall determine whether the student shall participate in the regular assessment without accommodations, the regular assessment with accommodations or adaptations, or whether the student qualifies for and shall participate in the alternate assessment. (4-6-05)

c. Limited English Proficient (LEP) students, as defined in Subsection 112.03.d.iv., who receive a score below the fluent level on the Idaho English Language Assessment and have an Education Learning Plan (ELP), shall be given the ISAT with accommodations or adaptations as outlined in the ELP. Students can be categorized as LEP students for two (2) years after testing proficient on the language proficiency test and exiting the LEP program.

LEP students who do not have an ELP or a language acquisition score will be given the regular ISAT without accommodations or adaptations. LEP students who are enrolled in their first year of school in the United States may take the IELA in lieu of the reading/language usage ISAT, but will still be required to take the math and science ISAT with accommodations or adaptations as determined by the language proficiency score and ELP. Such LEP students will be counted as participants for the ninety-five percent (95%) participation target, as described in Subsection 112.03. However, such LEP students are not required to be counted for AYP purposes in determining proficiency, as described in Subsection 112.02. (5-8-09)

05. Scoring and Report Formats. Scores will be provided for each subject area assessed and reported in standard scores, benchmark scores, or holistic scores. Test results will be presented in a class list report of student scores, building/district summaries, content area criterion reports by skill, disaggregated group reports, and pressure sensitive labels as appropriate. Information about the number of students who are eligible for special education who participate in regular and alternate assessments, and their performance results, shall be included in reports to the public if it is statistically sound to do so and would not disclose performance results identifiable to individual students. (4-7-11)

a. Effective April 1, 2009, all students taking the Idaho Standards Achievement Test (ISAT) must have a unique student identifier. (4-7-11)

b. Districts must send all assessment results and related communication to parents within three (3) weeks of receipt from the state. (4-7-11)

06. Comprehensive Assessment Program. The State approved comprehensive assessment program is outlined in Subsections 111.06.a. through 111.06.l. Each assessment will be comprehensive of and aligned to the Idaho State Content Standards it is intended to assess. In addition, districts are responsible for writing and implementing assessments in those standards not assessed by the state assessment program. (4-2-08)

a. Kindergarten - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (4-2-08)

b. Grade 1 - Idaho Reading Indicator, Idaho Alternate Assessment, Idaho English Language Assessment. (4-2-08)

c. Grade 2 - Idaho Reading Indicator, Grade 2 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (4-2-08)

d. Grade 3 - Idaho Reading Indicator, Grade 3 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (4-2-08)

e. Grade 4 - ~~Direct Math Assessment~~, National Assessment of Educational Progress, Grade 4 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (~~4-2-08~~)()

f. Grade 5 - ~~Direct Writing Assessment~~, Grade 5 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (~~4-2-08~~)()

g. Grade 6 - ~~Direct Math Assessment~~, Grade 6 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (~~4-2-08~~)()

h. Grade 7 - ~~Direct Writing Assessment~~, Grade 7 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (~~4-2-08~~)()

i. Grade 8 - ~~Direct Math Assessment~~, National Assessment of Educational Progress, Grade 8 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (~~4-2-08~~)()

j. Grade 9 - ~~Direct Writing Assessment~~, Grade 9 Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (~~4-2-08~~)()

- k.** Grade 10 - High School Idaho Standards Achievement Tests, Idaho Alternate Assessment, Idaho English Language Assessment. (4-2-08)
- l.** Grade 11 - Idaho English Language Assessment, college entrance exam. ~~(4-2-08)~~()
- m.** Grade 12 - National Assessment of Educational Progress, Idaho English Language Assessment. (4-2-08)
- n.** Students who achieve a proficient or advanced score on a portion or portions of the ISAT, or the Idaho Alternate Assessment, offered in their tenth grade year or later are not required to continue taking that portion or portions. (5-8-09)
- 07. Comprehensive Assessment Program Schedule.** (5-3-03)
- a.** The Idaho Reading Indicator will be administered in accordance with Section 33-1614, Idaho Code. (3-15-02)
- ~~**b.** The Direct Math Assessment and the Direct Writing Assessment will be administered in December in a time period specified by the State Department of Education. (3-15-02)~~
- eb.** The National Assessment of Educational Progress will be administered in timeframe specified by the U.S. Department of Education. (3-15-02)
- ec.** The Idaho Standards Achievement Tests will be administered twice annually in the Fall and Spring in a time period specified by the State Board of Education. (5-3-03)
- ed.** The Idaho Alternate Assessment will be administered in a time period specified by the State Board of Education. (4-2-08)
- fe.** The Idaho English Language Assessment will be administered in a time period specified by the State Board of Education. (4-2-08)
- 08. Costs Paid by the State.** Costs for the following testing activities will be paid by the state: (4-1-97)
- a.** All consumable and non-consumable materials needed to conduct the prescribed statewide comprehensive assessment program; (3-15-02)
- b.** Statewide distribution of all assessment materials; (3-15-02)
- c.** Processing and scoring student response forms, distribution of prescribed reports for the statewide comprehensive assessment program; and (3-15-02)
- d.** Implementation, processing, scoring and distribution of prescribed reports for the Direct Writing Assessment and the Direct Mathematics Assessment. (3-15-02)
- 09. Costs of Additional Services.** Costs for any additional administrations or scoring services not included in the prescribed statewide comprehensive assessment program will be paid by the participating school districts. (3-15-02)
- 10. Services.** The comprehensive assessment program should be scheduled so that a minimum of instructional time is invested. Student time spent in testing will not be charged against attendance requirements. (3-15-02)
- 11. Test Security, Validity and Reliability.** Test security is of the utmost importance. To ensure integrity of secure test items and protect validity and reliability of test outcomes, test security must be maintained. School districts will employ security measures in protecting statewide assessment materials from compromise. Each

individual who has any opportunity to see test items must sign a state-provided confidentiality agreement, which the district must keep on file in the district for at least two (2) years. Documentation of security safeguards must be available for review by authorized state and federal personnel. (4-2-08)

a. All ISAT paper and pencil test booklets will be boxed and shipped to the test vendor to be counted no later than two (2) weeks after the end of the testing window. (3-20-04)

b. The ISAT will be refreshed each year to provide additional security beginning with grades four (4) eight (8) and ten (10) in 2007. Items will be refreshed for grades three (3) and seven (7) in 2008; grades five (5) and six (6) in 2009; and grades two (2) and nine (9) in 2010. (3-20-04)

c. Any assessment used for federal reporting shall be independently reviewed for reliability, validity, and alignment with the Idaho Content Standards. (4-2-08)

12. Demographic Information. Accurate demographic information must be submitted as required for each test to assist in interpreting test results. It may include but is not limited to race, sex, ethnicity, and special programs, (Title I, English proficiency, migrant status, special education status, gifted and talented status, and socio-economic status). (4-2-08)

13. Dual Enrollment. For the purpose of non-public school student participation in non-academic public school activities as outlined in Section 33-203, Idaho Code, the Idaho State Board of Education recognizes the following: (3-15-02)

a. The Idaho Standards Achievement Tests (grades 2-9 and High School). (5-3-03)

b. A portfolio demonstrating grade level proficiency in at least five (5) of the subject areas listed in Subsections 111.13.b.i. through 111.13.b.vi. Portfolios are to be judged and confirmed by a committee comprised of at least one (1) teacher from each subject area presented in the portfolio and the building principal at the school where dual enrollment is desired. (4-6-05)

i. Language Arts/Communications. (3-15-02)

ii. Math. (3-15-02)

iii. Science. (3-15-02)

iv. Social Studies. (3-15-02)

v. Health. (3-15-02)

vi. Humanities. (3-15-02)

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.03 - RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-1104

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is August 11, 2011.

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 regular rulemaking procedures have been initiated. The action is authorized pursuant to Section 33-105, Idaho Code, Section 33-107, Idaho Code, and Section 33-1612, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking will be held as follows:

**Tuesday, October 18, 2011
at 4:00 p.m. (MDT)**

**Idaho State Department of Education
Barbara Morgan Conference Room
650 West State Street, 2nd Floor
Boise, Idaho**

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:

This rule change deals with two aspects of high school graduation requirements: dual credit as it pertains to the senior project requirements and college entrance examinations.

First, the Students Come First laws created a dual credit program, where students completing all state high school graduation requirements by no later than the start of their twelfth grade year are eligible to take dual credit courses paid for by the state during their twelfth grade year. The rule change notes that students participating in the dual credit program do not have to complete their senior project prior to being eligible for the program, but must complete the requirement by the end of their twelfth grade or final year of high school.

Second, change is to allow a testing exemption for two specific student groups: special education students on an Individualized Education Program (IEP) that specifies accommodations that, if used, would not allow a reportable score on the approved tests; and for Limited English Proficient (LEP) students who have been enrolled in a LEP program for three (3) years or less. Both ACT and SAT allow only limited accommodations for special education or LEP students to take the college entrance exam. If a state opts to use state approved accommodations, the tests would be invalidated and the scores would not be college-reportable. The intent of the original rule was to increase the college going student population, thus a non-reportable score would be contrary to the intent. This exemption mirrors the existing exam requirement in IDAPA 08.02.03.06, that allows these specific groups of students to enter into an alternate graduation mechanism.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226, Idaho Code, the temporary adoption of the rule is appropriate because the state has signed a contract for college entrance exam vendor as part of the Students Come First laws.

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

FISCAL IMPACT: The state could potentially save a small amount of money in the statewide contract if a significant portion of the special education or LEP (3 years or less) populations decide to not take the test.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not

conducted because the proposed rule changes are clarifying existing law and making rules consistent with law.

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 proposed rule on dual credit, contact Jason Hancock at (208) 332-6853; and questions on college entrance exam, contact Wendy St. Michell at (208) 332-6842.

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 Wednesday, October 26, 2011.

DATED this 31st Day of August, 2011.

Tom Luna
Superintendent of Public Instruction
State Department of Education
650 West State Street, 2nd Floor
P.O. Box 83720
Boise, ID 83720-0027
(208) 332-6812; fax (208) 334-2228

THE FOLLOWING IS THE TEMPORARY RULE & PROPOSED TEXT OF DOCKET NO. 08-0203-1104

105. HIGH SCHOOL GRADUATION REQUIREMENTS.

A student must meet all of the requirements identified in this section before the student will be eligible to graduate from an Idaho high school. The local school district or LEA may establish graduation requirements beyond the state minimum. (5-8-09)

01. Credit Requirements. The State minimum graduation requirement for all Idaho public high schools is forty-two (42) credits. The forty-two (42) credits must include twenty-five (25) credits in core subjects as identified in Paragraphs 105.01.c. through 105.01.h. 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-six (46) credits and must include twenty-nine (29) credits in core subjects as identified in Paragraphs 105.01.~~b.c.~~ through 105.01.~~g.h.~~ ~~(3-29-10)~~(8-11-11)T

a. Credits. (Effective for all students who enter the ninth grade in the fall of 2010 or later.) One (1) credit shall equal sixty (60) hours of total instruction. School districts or LEA's may request a waiver from this provision by submitting a letter to the State Department of Education for approval, signed by the superintendent and chair of the board of trustees of the district or LEA. The waiver request shall provide information and documentation that substantiates the school district or LEA's reason for not requiring sixty (60) hours of total instruction per credit. (3-29-10)

b. Mastery. A student may also achieve credits by demonstrating mastery of a subject's content standards as defined and approved by the local school district or LEA. (3-29-10)

c. Secondary Language Arts and Communication. Nine (9) credits are required. Eight (8) credits of

instruction in Language Arts. Each year of Language Arts shall consist of language study, composition, and literature and be aligned to the Idaho Content Standards for the appropriate grade level. One (1) credit of instruction in communications 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 Idaho Speech Content Standards requirements. (3-29-10)

d. Mathematics. Four (4) 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. 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: (3-29-10)

i. Two (2) credits of Algebra I or courses that meet the Idaho Algebra I Content Standards as approved by the State Department of Education; (3-29-10)

ii. Two (2) credits of Geometry or courses that meet the Idaho Geometry Content Standards as approved by the State Department of Education; and (3-29-10)

iii. Two (2) credits of mathematics of the student's choice. (3-29-10)

iv. Two (2) credits of the required six (6) credits of mathematics must be taken in the last year of high school. (3-29-10)

e. Science. Four (4) 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. (3-29-10)

i. Effective for all public school students who enter high school at the 9th grade level in Fall 2009 or later, six (6) credits will be required. (3-29-10)

ii. Secondary sciences include instruction in the following areas: biology, physical science or chemistry, and earth, space, environment, or approved applied science. Four (4) credits of these courses must be laboratory based. (3-29-10)

f. Social Studies. Five (5) credits are required, including government (two (2) credits), United States history (two (2) credits), and economics (one (1) credit). Courses such as geography, sociology, psychology, and world history may be offered as electives, but are not to be counted as a social studies requirement. (3-29-10)

g. Humanities. Two (2) credits are required. Humanities courses include instruction in visual arts, music, theatre, dance, or world language aligned to the Idaho content standards for those subjects. Other courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if the course is aligned to the Idaho Interdisciplinary Humanities Content Standards. (3-29-10)

h. Health/Wellness. One (1) credit is required. Course must be aligned to the Idaho Health Content Standards. (3-29-10)

02. Content Standards. Each student shall meet locally established subject area standards (using state content standards as minimum requirements) demonstrated through various measures of accountability including examinations or other measures. (3-29-10)

03. College Entrance Examination. (Effective for all public school students who enter high school at the 9th grade level in Fall 2009 or later.) (8-11-11)T

a. A student must take one (1) of the following college entrance examinations before the end of the student's eleventh grade year: COMPASS, ACCUPLACER, ACT or SAT. Scores must be included in the Learning Plan. (5-8-09)(8-11-11)T

- b.** A student may elect an exemption from the college entrance exam requirement if the student is: (8-11-11)T
 - i.** Enrolled in a special education program and has an Individual Education Plan (IEP) that specifies accommodations not allowed for a reportable score on the approved tests; or (8-11-11)T
 - ii.** Enrolled in a Limited English Proficient (LEP) program for three (3) academic years or less. (8-11-11)T

04. 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 include a written report and an oral presentation. Additional requirements for a senior project are at the discretion of the local school district or LEA. (3-29-10)

05. Middle School. 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 credits in all high school core subjects as identified in Subsections 105.01.~~b.c.~~ through 105.01.~~g.h.~~ in addition to the courses completed in middle school. (~~3-29-10~~)(8-11-11)T

06. Proficiency. Each student must achieve a proficient or advanced score on the Grade 10 Idaho Standards Achievement Test (ISAT) in math, reading and language usage 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 will be given an opportunity to demonstrate proficiency of the content standards through some other locally established plan. School districts or LEAs shall adopt an alternate plan and provide notice of that plan to all students who have not achieved a proficient or advanced score on the Grade 10 Idaho Standards Achievement Test by the fall semester of the student's junior year. All locally established alternate plans used to demonstrate proficiency shall be forwarded to the State Board of Education for review and information. Alternate plans must be promptly re-submitted to the Board whenever changes are made in such plans. (4-7-11)

- 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 alternate plan must: (4-7-11)
 - i.** Contain multiple measures of student achievement; (4-7-11)
 - ii.** Be aligned at a minimum to tenth grade state content standards; (4-7-11)
 - iii.** Be aligned to the state content standards for the subject matter in question; (4-7-11)
 - iv.** Be valid and reliable; and (4-7-11)
 - v.** Ninety percent (90%) of the alternate plan criteria must be based on academic proficiency and performance. (4-7-11)
- c.** A student is not required to achieve a proficient or advanced score on the ISAT if: (5-8-09)
 - 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; (5-8-09)

ii. The student completes another measure established by a school district or LEA and received by the Board as outlined in Subsection 105.06; or (3-29-10)

iii. The student has an IEP that outlines alternate requirements for graduation or adaptations are recommended on the test; (5-8-09)

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; (5-8-09)

07. 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)

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

106. ADVANCED OPPORTUNITIES (EFFECTIVE JULY 1, 2008).

01. Advanced Opportunities Requirement. All high schools in Idaho shall be required to provide Advanced Opportunities, as defined in Subsection 007.01, or provide opportunities for students to take courses at the postsecondary campus. ~~(3-30-07)~~(8-11-11)T

02. Dual Credit. A student participating in the Dual Credit for Early Completers program (33-1626, Idaho Code) need not have completed a senior project prior to being eligible. However, a student must still complete a senior project by the end of grade twelve (12) or the student's final year of high school. (8-11-11)T