

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

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

IDAPA 08.02.01 - Rules Governing Administration - Proposed Rule (Docket No. 08-0201-1502);

IDAPA 08.02.03 - Rules Governing Thoroughness - Proposed Rule (Docket No. 08-0203-1507).

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 11/23/2015. 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 12/22/2015.

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

To notify Research and Legislation, call 334-4834, or send a written request to the address on the  
memorandum attached below.



Eric Milstead  
Director

# Legislative Services Office

## Idaho State Legislature

*Serving Idaho's Citizen Legislature*

### MEMORANDUM

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

**FROM:** Principal Legislative Research Analyst - Brooke Brouman

**DATE:** November 3, 2015

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

IDAPA 08.02.01 - Rules Governing Administration - Proposed Rule (Docket No. 08-0201-1502)

IDAPA 08.02.03 - Rules Governing Thoroughness - Proposed Rule (Docket No. 08-0203-1507)

#### **(1) Rules Governing Administration - Proposed Rule (Docket No. 08-0201-1502)**

The State Board of Education submits Notice of Proposed Rulemaking regarding continuous improvement planning and training of local education agencies. During the 2015 legislative session, the term "strategic plan" was changed to "continuous improvement plan" in Section 33-320, Idaho Code. The proposed rule makes the same changes, bringing the language in the rule into alignment with statute.

Negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the September 2, 2015, Idaho Administrative Bulletin, Volume 15-9, page 62.

The Board's proposed rule is authorized by Sections 33-105 and 33-320, Idaho Code.

#### **(2) Rules Governing Thoroughness - Proposed Rule (Docket No. 08-0203-1507)**

The State Board of Education submits Notice of Proposed Rulemaking regarding high school graduation eligibility requirements. The proposed rule makes the following changes to Section 105:

- (a) Removes the Compass exam from the list of exams students can take to meet the college entrance exam requirement;
- (b) Adds criteria, notice and opt-out provisions regarding the transfer of eligible grades earned in middle school to a student's high school transcript; and
- (c) Clarifies the proficiency requirements for alternate paths for graduation.

Negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the September 2, 2015, Idaho Administrative Bulletin, Volume 15-9, page 63.

The Board's proposed rule is authorized by Sections 33-105 and 33-119, Idaho Code.

cc: State Board of Education  
Tracie Bent

**IDAPA 08 - STATE BOARD OF EDUCATION**

**08.02.01 - RULES GOVERNING ADMINISTRATION**

**DOCKET NO. 08-0201-1502**

**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 Sections 33-101, 33-105, 33-116, and 33-320, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than November 18, 2015.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

Idaho Administrative Code, IDAPA 08.02.01.800 establishes the qualification requirements for trainers and the procedures for school districts and charter schools to request reimbursement for qualified training in compliance with Section 33-320, Idaho Code. Section 33-320, Idaho Code, sets out requirements for each school district to have a strategic plan as well as funding to districts to reimburse them for training in strategic planning, administrator evaluations, school finance, and governance and ethics. During the 2015 legislative session the term strategic planning was changed to continuous improvement planning. The Proposed amendment brings the language used in IDAPA 08.02.01.800 into alignment with the terms now used in Section 33-320, Idaho Code.

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

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: NA

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the September 2, 2015 Idaho Administrative Bulletin, [Volume 15-9, page 62](#).

**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 Tracie Bent, Chief Planning and Policy Officer, at (208)332-1582 or [tracie.bent@osbe.idaho.gov](mailto:tracie.bent@osbe.idaho.gov).

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before November 25, 2015.

DATED the 4th Day of September, 2015.

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

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0201-1502  
(Only Those Sections With Amendments Are Shown.)

**801. STRATEGIC CONTINUOUS IMPROVEMENT PLANNING AND TRAINING.**

In accordance with Section 33-320, Idaho Code, every local education agency (LEA) shall develop and maintain a strategic plan that ~~focuses on~~ includes a continuous improvement process focused on improving ~~the~~ student performance of the LEA. (4-11-15)(    )

**01. Definitions.** (4-11-15)

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

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

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

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

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

**f.** Strategic Continuous Improvement Plan. As used in this section, a strategic continuous improvement plan ~~is one that~~ focuses on ~~continuous process improvement~~ annual measurable outcomes and the analysis of data to assess and prioritize needs and measure outcomes. (4-11-15)(    )

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

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

i. Strategic Continuous improvement planning training. Strategic Continuous improvement planning training must include, but is not limited to, training on continuous process improvement, use and analysis of data, and methods for setting measurable targets based on student outcomes; (4-11-15)(    )

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

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

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

v. Governance. (4-11-15)

**b.** Documentation of Training. Training records shall be kept by the LEA showing: (4-11-15)

i. The length of the training in hours; (4-11-15)

ii. The subject(s) covered by the training; (4-11-15)

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

## IDAPA 08 - STATE BOARD OF EDUCATION

### 08.02.03 - RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-1507

#### 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 Sections 33-101, 33-105, and 33-116, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than November 18, 2015.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

The proposed amendments address three (3) separate issues that are contained within Idaho Administrative Code, IDAPA 08.02.03, subsection 105 Graduation Requirements. These include the transcription of middle level (school) credits to a student's high school transcript, the Idaho Standards Achieve Test (ISAT) graduation proficiency requirements for students who will graduate in 2017, and the alternate paths to graduation for those students that do not meet the proficiency requirement to graduate. These changes include allowing parents to opt out of having their students eligible grades earned in middle school from transferring to the students high school transcript; exempting students who took the ISAT in 10th grade as part of the field test in 2015 from the proficiency graduation requirement to graduate, and adds clarification to the requirements for the proficiency requirements alternate paths for graduation purposes. One additional change removes the Compass exam from one of the exams students can take to meet the college entrance exam requirements. The Compass exam is a placement test administered by ACT and will no longer be available after the end of 2016.

**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(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the September 2, 2015 Idaho Administrative Bulletin, [Volume 15-9, page 63](#).

**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 Tracie Bent, Chief Planning and Policy Officer, at (208)332-1582 or [tracie.bent@osbe.idaho.gov](mailto:tracie.bent@osbe.idaho.gov).

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before November 25, 2015.

DATED the 4th Day of October, 2015

Tracie Bent  
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650 W State St., PO Box 83720  
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Tel: (208)332-1582 / Fax: (208)334-2632

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0203-1507  
(Only Those Sections With Amendments Are Shown.)**

**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. (3-8-09)

**01. Credit Requirements.** The State minimum graduation requirement for all Idaho public high schools is forty-six (46) credits and must include twenty-nine (29) credits in core subjects as identified in Paragraphs 105.01.c. through 105.01.i. (3-12-14)

**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.** Six (6) 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. AP Computer Science, Dual Credit Computer Science, and Dual Credit Engineering courses may also be counted as a mathematics credit if the student has completed Algebra II standards. Students who choose to take AP Computer Science, Dual Credit Computer Science, and Dual Credit Engineering may not concurrently count such courses as both a math and science credit. (3-12-14)

i. Students must complete secondary mathematics in the following areas: (3-12-14)

(1) 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)

(2) 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)

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

ii. Two (2) credits of the required six (6) credits of mathematics must be taken in the last year of high school in which the student intends to graduate. For the purposes of this subsection, the last year of high school shall include the summer preceding the fall start of classes. Students who return to school during the summer or the following fall of the next year for less than a full schedule of courses due to failing to pass a course other than math are not required to retake a math course as long as they have earned six (6) credits of high school level mathematics. (3-12-14)



iii. Students who have completed six (6) credits of math prior to the fall of their last year of high school, including at least two (2) semesters of an Advanced Placement or dual credit calculus or higher level course, are exempt from taking math during their last year of high school. High School math credits completed in middle school shall count for the purposes of this section. (3-12-14)

e. Science. Six (6) credits are required, four (4) of which will be laboratory based. Secondary sciences include instruction in applied sciences, earth and space sciences, physical sciences, and life sciences. Up to two (2) credits in AP Computer Science, Dual Credit Computer Science, and Dual Credit Engineering may be used as science credits. Students who choose to take AP Computer Science, Dual Credit Computer Science, and Dual Credit Engineering may not concurrently count such courses as both a math and science credit. (3-12-14)

i. 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. Effective for all public school students who enter grade nine (9) in Fall 2015 or later, each student shall receive a minimum of one (1) class period on psychomotor cardiopulmonary resuscitation (CPR) training as outlined in the American Heart Association (AHA) Guidelines for CPR to include the proper utilization of an automatic external defibrillator (AED) as part of the Health/Wellness course. (3-12-14)

i. Students participating in one (1) season in any sport recognized by the Idaho High School Activities Association or club sport recognized by the local school district, or eighteen (18) weeks of a sport recognized by the local school district may choose to substitute participation up to one (1) credit of physical education. Students must show mastery of the content standards for Physical Education in a format provided by the school district. (4-1-15)

**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 grade nine (9) in Fall 2012 or later.) (3-12-14)

a. A student must take one (1) of the following college entrance ~~or placement~~ examinations before the end of the student's eleventh grade year: SAT; ~~or~~ ACT; ~~or~~ *Compass*. Students graduating prior to 2017 may also use the Compass to meet this requirement. A student who misses the statewide administration of the college exam during the student's grade eleven (11) for one (1) of the following reasons, may take the examination during their grade twelve (12) to meet this requirement: ~~(3-12-14)~~ ( )

i. Transferred to an Idaho school district during grade eleven (11); (3-12-14)

ii. Was homeschooled during grade eleven (11); or (3-12-14)

iii. Missed the spring statewide administration of the college entrance exam dates for documented medical reasons. (3-12-14)

b. A student may elect an exemption in grade eleven (11) from the college entrance exam requirement

if the student is: (3-12-14)

- 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; (3-12-14)
- ii. Enrolled in a Limited English Proficient (LEP) program for three (3) academic years or less; or (3-12-14)
- iii. Enrolled for the first time in grade twelve (12) at an Idaho high school after the fall statewide administration of the college entrance exam. (4-1-15)

**04. Senior Project.** 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. (3-12-14)

**05. Middle School.** A student will have met the high school content and credit area requirement for any high school course if: the requirements outlined in Subsections 105.05.a. through 105.05.c. of this rule are met. (4-1-15)( )

a. The student completes such course with a grade of C or higher before entering grade nine (9); (3-12-14)

b. The course meets the same content standards that are required in high school for the same course; and (3-12-14)( )

c. The course is taught by a teacher properly ~~certificated teacher~~ certified to teach high school content and who meets the federal definition of highly qualified for the course being taught. (3-12-14)( )

d. The student shall be given a grade for the successful completion of that course and such grade and the number of credit hours assigned to the course shall be transferred to the student's high school transcript. Notwithstanding this requirement, the student's parent or guardian shall be notified in advance when credits are going to be transcribed and may elect to not have the credits and grade transferred to the student's high school transcript. Courses taken in middle school appearing in the student's high school transcript, pursuant to this subsection, shall count for the purpose of high school graduation. However, the student must complete the required number of credits in all high school core subjects as identified in Subsections 105.01.c. through 105.01.h. except as provided in 105.01.d.iii. The transcribing high school is required to verify the course meets the requirements specified in Subsections 105.05.a. through 105.05.b. of this rule. (3-12-14)( )

**06. Proficiency.** Each student must achieve a proficient or advanced score on the grade ten (10) Idaho Standards Achievement Test (ISAT) in math, reading and language usage in order to graduate unless specifically exempted from doing so as contained herein. Students who will graduate in 2016 and who received a proficient or advanced score on the grade ten (10) ISAT while in grade nine (9) may bank the score for purposes of meeting ~~their~~ this graduation requirement. 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~~ a 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 ten (10)~~ grade ten (10) Idaho Standards Achievement Test ~~by~~ prior to 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 that are not in conformance with the requirements of Subsection 105.06.b shall be returned to the LEA and must be resubmitted in conformance with the requirements contained herein prior to students attempting the alternate plan. Alternate plans must be promptly re-submitted to the Board whenever changes are made in such plans. The LEA must provide a descriptive summary of how each measure is aligned to the grade ten (10), or higher, state content standards and shows students proficiency. The Board may request plans to be submitted in a common format or request additional information as necessary to determine plans are in conformance with these rules. (3-12-14)( )

a. Before entering an alternate ~~measure~~ plan, 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, if alternate paths are available to the student within the LEA's alternate plan, each path must contain multiple measures; ~~(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)~~( )
    - vi. At least one (1) measure must utilize an externally reviewed, validated assessment as the evaluation tool; and ( )
    - vii. Measures may not be duplicative of the State graduation requirements. ( )
  - 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)
    - v. The student will graduate in 2017 and completed the grade ten (10) ISAT in math, reading and language usage in 2015. ( )
  - d.** Those students who will graduate in 2016 and have not received a proficient or advanced score on the ISAT in grade nine (9), will be required to complete an alternative plan for graduation, as designed by the district, including the elements prescribed in Subsection 105.06.b. and may enter the alternate path prior to the fall of their senior year. (3-12-14)
- 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)