

Dear Senators LENT, Cook, Ward-Engelking, and
Representatives PICKETT, Hawkins, Mathias:

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

IDAPA 08.02.02 - Rules Governing Uniformity-Proposed Rule (Docket No. 08-0202-2501);

IDAPA 08.02.03 - Rules Governing Thoroughness-Proposed Rule (Docket No. 08-0203-2501);

IDAPA 08.02.03 - Rules Governing Thoroughness-Proposed Rule (Docket No. 08-0203-2502).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 12/22/2025. 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 01/19/2026.

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

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



Terri Kondeff
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

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

FROM: Legislative Drafting Attorney - Monica Harrington

DATE: December 03, 2025

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

IDAPA 08.02.02 - Rules Governing Uniformity-Proposed Rule (Docket No. 08-0202-2501)

IDAPA 08.02.03 - Rules Governing Thoroughness-Proposed Rule (Docket No. 08-0203-2501)

IDAPA 08.02.03 - Rules Governing Thoroughness-Proposed Rule (Docket No. 08-0203-2502)

Summary and Stated Reasons for the Rule

The State Board of Education submits notice of proposed rulemaking at IDAPA 08.02.02 - Rules Governing Uniformity (Docket No. 08-0202-2501), IDAPA 08.02.03 - Rules Governing Thoroughness (Docket No. 08-0203-2501), and IDAPA 08.02.03 - Rules Governing Thoroughness (Docket No. 08-0203-2502).

Regarding the proposed rulemaking at IDAPA 08.02.02 - Rules Governing Uniformity (Docket No. 08-0202-2501), the State Board of Education states that the proposed rule aims to reduce unethical interactions between educators and students by limiting communications to district-approved devices and platforms that can be monitored by district staff. The Board states the proposed rule also clarifies that it is unethical to use a district device or network to engage in any sexual explicit activity and not just accessing pornography. The Board states the proposed rule also provides that comingling public funds with any personal account is unethical, not just with personal bank accounts. The Board states that the proposed rule also clarifies that professionalism is not limited to conduct with colleagues but encompasses all professional conduct. The Board states that additional changes in the proposed rule include: adding the word "standard" to the definition of "CTE administrator certificate" to indicate it is in the same classification as other standard certificates and that it is eligible for reinstatement among other general clarifications regarding requirements for using alternative routes to add endorsement for current certificate holders, eliminating duplicative language regarding minimum required coursework for all Career Technical Education instructional staff, and adding a reference for the new lifetime certificate.

Regarding the proposed rulemaking at IDAPA 08.02.03 - Rules Governing Thoroughness-Proposed Rule (Docket No. 08-0203-2501), the State Board of Education states that the proposed rule will edit subsection 004.04 of the Special Education Manual document that is incorporated by reference. The Specific Learning Disability section of that document was revised and approved in the 2024-2025 rulemaking cycle following an

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inquiry by the U.S. Department of Education's Office of Special Education Programs (OSEP) in 2023. Concurrently, the Idaho State Department of Education had a Differentiated Monitoring and Support 2.0 review by OSEP that identified additional areas of concern. The State Board states that due to timing and procedural requirements for public input under the Individuals with Disabilities Education Act as well as rulemaking timelines set by the Department of Financial Management and the Office of the State Board of Education, the concerns could not be addressed in the same revision as the Specific Learning Disability update that was completed in the 2024-2025 rulemaking cycle.

Regarding the proposed rulemaking at IDAPA 08.02.03 - Rules Governing Thoroughness-Proposed Rule (Docket No. 08-0203-2502), the State Board of Education states that the proposed rule contains changes to subsection 004.01(g) of the Social Studies K-12 Content Standards document that is incorporated by reference. The social studies content standards were reviewed during the 2023-2024 school year and submitted to the Idaho Legislature for final approval during the 2025 Session. The Legislature rejected portions of the revised social studies content standards and wants to review them again. Based on this, revisions to the social studies content standards have been facilitated by the State Department of Education for consideration in the 2026 Legislative Session.

Negotiated Rulemaking / Fiscal Impact

The State Board of Education states for the proposed rules that negotiated rulemaking was conducted and that notice was published in the June 4, 2025, edition of the Idaho Administrative Bulletin. There is no anticipated fiscal impact associated with this rulemaking.

Statutory Authority

The proposed rules appear to be within the statutory authority granted to the State Board of Education pursuant to Section 2, Article IX of the Constitution of the State of Idaho and Sections 33-105, 33-107, 33-116, 33-118, and 33-1612, Idaho Code.

cc: State Board of and State Department of Education - State Department of Education
Nicholas Wagner

***** PLEASE NOTE *****

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

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.02 – RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-2501

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with [Section 67-5221\(1\)](#), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to [Article IX, Section 2, Idaho Constitution](#) and under [Section 33-105, 33-107, 33-116, and 33-1612](#), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 15, 2025.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than one (1) day 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 changes to subsection 08.02.02.076, Code of Ethics for Idaho Professional Educators aim to reduce unethical interactions between educators and students by limiting educator/student communications to district approved devices and platforms that can be viewed and monitored by district staff. Communication tends to be more professional when personal accounts are not used, and educators are aware that communication with students is not private. Additionally, changes clarify that it is unethical to use a district device or network to engage in any sexually explicit activity, not just accessing pornography. Finally, proposed language provides that co-mingling public funds with any person account is unethical, not just personal bank accounts. The final change regarding the code of ethics section is to clarify that professionalism is not limited to conduct with colleagues but encompasses all professional conduct.

Additional amendments, add the word “standard” prior to the CTE Administrator certificate, indicating it is in the same classification as other standard certificates and eligible for reinstatement as well as other general clarification around current requirements for using alternative routes to add endorsement for current certificate holders, eliminating duplicative language regarding minimum required coursework for all CTE instructional staff, and adds a reference to the new lifetime certificate.

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

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year 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 June 4, 2025 Idaho Administrative Bulletin, [Volume 25-6, p 14-15](#).

INCORPORATION BY REFERENCE: Pursuant to [Section 67-5229\(2\)\(a\)](#), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2025.

DATED this 21st day of August, 2025.

Nicholas Wagner, Agency Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, ID 83720-0037
Phone: (208)488-7586
Fax: (208)334-2632

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0202-2501
(Only Those Sections With Amendments Are Shown.)

08.02.02 – RULES GOVERNING UNIFORMITY

000. LEGAL AUTHORITY.

~~All rules in IDAPA 08.02.02, “Rules Governing Uniformity,” are promulgated pursuant to the authority of the State Board of Education under Article IX, Section 2 of the Idaho Constitution and under Sections 33-105, 33-107, 33-116, and 33-1612, Idaho Code. Specific statutory references for particular rules are also noted as additional authority where appropriate.~~ (3-15-22)()

(BREAK IN CONTINUITY OF SECTIONS)

015. IDAHO EDUCATOR CREDENTIAL.

All standard educator certificates are valid for five (5) years and are renewable, subject to the applicable renewal requirements set by the state board of education and any applicable conditions applied to an individual’s certificate by the professional standards commission. (3-15-22)

01. Standard Instructional Certificate. A Standard Instructional Certificate makes an individual eligible to teach all grades, subject to the grade ranges and subject areas of the valid endorsement(s) attached to the certificate. A standard instructional certificate may be issued to any person who has a baccalaureate degree or higher from an accredited college or university and who meets the following requirements or successfully completes an interim certificate requirements: (4-6-23)

a. Minimum Credit Hours. Earned a minimum of twenty (20) semester credit hours in the philosophical, psychological, methodological foundations, instructional technology, and in the professional subject matter of education, which shall include demonstration of competencies as specified in the Idaho comprehensive literacy plan; and (3-15-22)

b. Student Teaching. Complete a minimum of ten (10) undergraduate or six (6) graduate semester credit hours, of student teaching; and (3-15-22)

c. Complete a state board approved educator preparation program and receive an institutional recommendation from the program specifying the grade ranges and subjects for which the applicant is eligible to receive an endorsement; (4-6-23)

i. To receive endorsement in two (2) fields of teaching, preparation must consist of completion of at least thirty (30) semester credit hours in one (1) field of teaching, and completion of at least twenty (20) semester credit hours in a second field of teaching. (3-15-22)

ii. To receive endorsement in (1) field of teaching, preparation must consist of completion of at least forty-five (45) semester credit hours in a single subject area; (3-15-22)

d. Meet or exceed the state qualifying score on the state board approved content area and pedagogy assessments. (4-6-23)

02. Standard Pupil Service Staff Certificate. Persons who serve as school counselors, school psychologists, school social workers, and school nurses are required to hold the Standard Pupil Service Staff Certificate, with the respective endorsement(s) for which they qualify. Persons who serve as a speech-language pathologist, school audiologist, occupational therapist, or physical therapist may be required, as determined by the local educational agency, to hold a Standard Pupil Service Staff Certificate with respective endorsements for which they qualify. (4-6-23)

a. School Counselor Endorsement. To be eligible for a School Counselor endorsement, a candidate must have satisfied the following requirements. (3-15-22)

i. Hold a master's degree and provide verification of completion of an approved program of graduate study in school counseling, including sixty (60) semester credits, 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. 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; and (3-15-22)

ii. An institutional recommendation is required for a School Counselor endorsement. (3-15-22)

b. School Counselor – Basic Endorsement. (3-15-22)

i. Individuals serving as a school counselor pursuant to [Section 33-1212, Idaho Code](#), shall be granted a School Counselor – Basic endorsement. The endorsement is valid for five (5) years or until such time as the holder no longer meets the eligibility requirements pursuant to [Section 33-1212, Idaho Code](#). (3-15-22)

ii. Individuals who received their endorsement pursuant to [Section 33-1212, Idaho Code](#), prior to July 1, 2018, will be transitioned into the School Counselor – Basic endorsement. Renewal date will remain the same as the initial credential. (3-15-22)

c. School Psychologist Endorsement. The renewal credit requirement may be waived if the applicant holds a current and valid National Certification for School Psychologists (NCSP) offered through the National Association of School Psychologists (NASP). To be eligible for a school psychologist 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: (3-15-22)

i. Completion of an approved thirty (30) semester credit hour master's degree in education or psychology and completion of an approved thirty (30) semester credit hour School Psychology Specialist Degree program, and completion of a minimum of twelve hundred (1,200) clock-hour internship within a local education agency under the supervision of the training institution and direct supervision of a certificated school psychologist; (3-15-22)

ii. Completion of an approved sixty (60) semester credit hour, master's degree program in School Psychology, and completion of a minimum of twelve hundred (1,200) clock-hour internship within a local education agency under the supervision of the training institution and direct supervision of a certificated school psychologist; (3-15-22)

iii. Completion of an approved sixty (60) semester 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 local education agency under the supervision of the

training institution and direct supervision of a certificated school psychologist; and (3-15-22)

iv. Earn a current and valid National Certification for School Psychologists (NCSP) issued by the National Association of School Psychologists (NASP). (3-15-22)

d. Interim Certificate – School Psychologist Endorsement. This certificate will be issued to those who do not meet the educational requirements but hold a master’s degree or higher in psychology and are working toward a standard pupil service staff certificate with school psychologist endorsement. This certificate will be issued for three (3) years while the applicant is meeting the educational requirements or obtaining the applicable experience leading to certification. If the educational requirements cannot be met within the three (3)-year time frame of the certificate, the employing LEA may request one (1)-time renewal of this interim certificate for the applicant. (3-15-22)

e. School Nurse Endorsement. To be eligible for a school nurse endorsement, a candidate must complete one (1) of the following options: (3-15-22)

i. Possess a valid professional nursing (RN) license issued by the Idaho State Board of Nursing, and a baccalaureate degree in nursing, education, or a health-related field from an accredited institution. (3-15-22)

ii. Possess a valid professional nursing (RN) license issued by the Idaho State Board of Nursing; have two (2) years of full-time (or part-time equivalent) school nursing, community health nursing, or any other area of pediatric, adolescent, or family nursing experience. (3-15-22)

f. Interim Certificate - School Nurse Endorsement. This certificate will be issued to those who do not meet the educational and/or experience requirements but who hold a valid professional nursing (RN) license in Idaho. This non-renewable certificate will be issued for three (3) years while the applicant is meeting the educational or experience requirements. (3-15-22)

g. Speech-Language Pathologist Endorsement. To be eligible for a speech-language pathologist endorsement, a candidate must possess a master's degree from an accredited college or university in a speech/language pathology program approved by the State Board of Education. The renewal credit requirement may be waived if the applicant holds a current and valid Certificate of Clinical Competence in Speech-Language Pathology offered through the American Speech-Language-Hearing Association and/or a current and valid speech-language pathologist license issued by the appropriate Idaho state licensing board. (3-15-22)

h. Interim Certificate - Speech-Language Pathologist Endorsement. This certificate will be issued to those who do not meet the educational requirements but hold a baccalaureate degree in speech-language pathology and are pursuing a master’s degree. This certificate will be issued for three (3) years while the applicant is meeting the educational requirements. If the educational requirements cannot be met within the three (3)-year timeframe of the certificate, the employing LEA may request one (1)-time renewal of this interim certificate for the applicant if the applicant holds a valid occupational license or is supervised by a speech-language pathologist with a standard pupil service certificate. (3-15-22)

i. Audiology Endorsement. To be eligible for an audiology endorsement, a candidate must possess a master's degree from an accredited college or university in an audiology program approved by the State Board of Education. The renewal credit requirement may be waived if the applicant holds a current and valid Certificate of Clinical Competence in Audiology offered through the American Speech-Language-Hearing Association and/or a current and valid audiologist license issued by the appropriate Idaho state licensing board. (3-15-22)

j. School Social Worker Endorsement. To be eligible for a school social worker endorsement, a candidate must meet the following requirements: (3-15-22)

i. A master's degree in social work (MSW) from a postsecondary institution accredited by an organization recognized by the State Board of Education. The program must be currently approved by the state educational agency of the state in which the program was completed; and (3-15-22)

ii. An institutional recommendation from a state board approved program; and (3-15-22)

iii. The successful completion of a school social work practicum in a preschool through grade twelve 12 (Pre-K-12) setting. Post-LMSW extensive experience working with children and families may be substituted for the completion of a school social work practicum in a Pre-K-12 setting; and (3-15-22)

iv. A current and valid social work license pursuant to [chapter 32, title 54, Idaho Code](#), and the rules of the State Board of Social Work Examiners. (3-15-22)

k. Occupational Therapist Endorsement. To be eligible for an occupational therapist endorsement, a candidate must have a current and valid occupational therapy license issued by the Occupational Therapy Licensure Board of Idaho. The candidate must maintain current and valid occupational therapy licensure for the endorsement to remain valid. (3-15-22)

l. Physical Therapist Endorsement. To be eligible for a physical therapist endorsement a candidate must have a current and valid physical therapy license issued by the Idaho Physical Therapy Licensure Board. The candidate must maintain current and valid physical therapy licensure for the endorsement to remain valid. (3-15-22)

03. Standard Administrator Certificate. Persons who serve as superintendent, director of special education, secondary school principal, or principal of an elementary school with eight (8) or more teachers (including the principal), or are assigned to conduct the summative evaluation of certified staff are required to hold an Administrator Certificate. The certificate may be endorsed for service as school principal, superintendent, or director of special education. Assistant superintendents are required to hold the Superintendent endorsement. Assistant principals or vice-principals are required to hold the School Principal endorsement. Directors of special education are required to hold the Director of Special Education endorsement. Possession of an Administrator Certificate does not entitle the holder to serve as a teacher at a grade level for which the educator is not qualified or certificated. (3-15-22)

a. School Principal Endorsement. To be eligible for the School Principal endorsement, a candidate must meet the following requirements: (3-15-22)

i. Hold a master's degree from an accredited college or university. (3-15-22)

ii. Have four (4) years of full-time certificated experience working with students, while under contract in an accredited school setting. (3-15-22)

iii. Complete an administrative internship in a state-approved program, or have one (1) year of experience as an administrator. (3-15-22)

iv. Provide verification of completion of a state-approved program of at least thirty (30) semester credit hours of graduate study in school administration for the preparation of school principals at an accredited college or university. This program shall include the demonstration of proficiency in conducting instructional and pupil service staff evaluations based on the statewide framework for evaluation, and competencies in the Idaho Standards for School Principals. (3-15-22)

v. Receive an institutional recommendation for a School Principal endorsement. (3-15-22)

b. Superintendent Endorsement. To be eligible for the Superintendent endorsement, a candidate must meet the following requirements: (3-15-22)

i. Hold an education specialist or doctorate degree or complete a comparable post-master's sixth year program at an accredited college or university. (3-15-22)

ii. Have four (4) years of full-time certificated/licensed experience working with students while under contract in an accredited school setting. (3-15-22)

iii. Complete an administrative internship in a state board approved program for the superintendent endorsement or have one (1) year of out-of-state experience as an assistant superintendent or superintendent. (3-15-22)

iv. Provide verification of completion of an approved program of at least thirty (30) semester credit hours, of post-master's degree graduate study for the preparation of school superintendents at an accredited college or university. This program in school administration must include demonstration of proficiency in conducting instructional and pupil service staff evaluations based on the statewide framework for evaluation, and demonstration of competencies in the Idaho standards for superintendents and the Idaho Standards for School Principals. (3-15-22)

v. Receive an institutional recommendation for a Superintendent endorsement. (3-15-22)

c. Director of Special Education Endorsement. To be eligible for the Director of Special Education endorsement, a candidate must meet the following requirements: (3-15-22)

i. Hold a master's degree from an accredited college or university; (3-15-22)

ii. Have four (4) years of full-time certificated/licensed experience working with students Pre-K-12, while under contract in a school setting; (3-15-22)

iii. Provide verification of a state board approved program of graduate study of school administration for the preparation of directors of special education at an accredited college or university. This program shall include demonstration of proficiency in conducting instructional and pupil service staff evaluations based on the statewide framework for evaluation, and demonstration of competencies in the Idaho Standards for Directors of Special Education and the Idaho Standards for School Principals. Coursework shall include knowledge and competence in understanding the Individuals with Disabilities Education Act, utilizing the Idaho Special Education Manual, special education funding and fiscal accountability, results-driven leadership and accountability in special education, and instructional, behavioral, and management strategies for supporting students in the least restrictive environment. (3-15-22)

iv. Have completed an administrative internship in the area of administration of special education; and (3-15-22)

v. An institutional recommendation is required for Director of Special Education endorsement. (3-15-22)

04. Career Technical Certification Requirements. Teachers of career technical courses or programs in secondary schools must hold an occupational specialist certificate and an endorsement in an appropriate occupational discipline. All occupational certificates must be approved by the Division of Career Technical Education regardless of the route an individual is pursuing to receive the certificate. (3-15-22)

a. Standard Degree Based Career Technical Certificate. Persons who hold a degree based career technical certificate are eligible to teach in a career technical area, subject to the grade range(s) and subject area(s) of the valid endorsement(s) attached to the certificate. All degree based career technical certificates require candidates to meet the Idaho Core Teaching Standards. The degree based career technical certificate is valid for five years. A degree based career technical certificate may be issued to any person who has a baccalaureate degree from an accredited college or university and meets the following requirements: (3-15-22)

i. Earned a minimum of twenty (20) semester credit hours in the philosophical, psychological, methodological foundations, instructional technology, and in the professional subject matter of education, which shall include demonstration of competencies as specified in the Idaho Comprehensive Literacy Plan; (3-15-22)

ii. Earned a minimum of twelve (12) semester credit hours in career technical education foundation coursework to include principles and philosophies of career technical education, evaluation and assessment in career technical education, leadership and career technical student organization leadership, career guidance and transition, occupational analysis and curriculum development, and lab safety; (3-15-22)

iii. Accumulated one thousand (1,000) clock hours of related industry experience, or practicum as approved by the higher education institution, in the respective field of specialization; (3-15-22)

iv. Completed a total of at least ten (10) undergraduate semester credit hours or six (6) graduate semester credit hours of student teaching: (3-15-22)

v. Completed a state board approved educator preparation program and received an institutional recommendation specifying the grade ranges and subjects for which the person is eligible to receive an endorsement; (3-15-22)

(1) To receive endorsement in two (2) fields of teaching, preparation must consist of at least thirty (30) semester credit hours in one (1) field of teaching and completion of at least twenty (20) semester credit hours in a second field of teaching. (3-15-22)

(2) To receive endorsement in one (1) field of teaching, preparation must consist of completion of at least forty-five (45) semester credit hours in a single subject area. (3-15-22)

vi. Met or exceeded the state qualifying score on the state board-approved content area and pedagogy assessments. (3-15-22)

vii. The renewal credits required in Section 060 may be waived if the applicant holds a current, valid certificate from the National Board for Professional Teaching Standards at the time of renewal. Credits must be earned during the validity period of the certificate. (4-6-23)

b. Career Technical Education Program Standard Administrator Certificate. The career technical education program administrator certificate is required for an individual serving as an administrator, director, or manager of career technical education programs in Idaho public schools. Individuals must meet one (1) of the two (2) following prerequisites to qualify for the career technical education program administrator certificate. The certificate is valid for five (5) years and must meet the renewal requirements pursuant to Section 060 of these rules to renew. (4-6-23)()

i. Qualify for or hold an advanced occupational specialist certificate or hold an occupational endorsement on a degree based career technical certificate; provide evidence of a minimum of four (4) years teaching, three (3) of which must be in a career technical education discipline; hold a master's degree; and complete at least fifteen (15) semester credits of administrative course work to include required credits in: education finance, administration and supervision of personnel, and legal aspects of education. Remaining coursework may be selected from: administration and supervision of occupational programs; instructional supervision; administration internship; curriculum development; curriculum evaluation; research in curriculum; school community relations; communication; teaching the adult learner; coordination of work-based learning programs; and/or measurement and evaluation. (3-15-22)

ii. Hold a superintendent or principal endorsement on a standard administrator certificate and provide evidence of either a minimum of four (4) years teaching, three (3) of which must be in a career technical discipline; or successful completion of a Division of Career Technical Education career technical education leadership institute; or completion of course work including credits in: principles and foundations of career technical education, career technical student organizations, occupational analysis, curriculum design, one or more externships with career technical education industry advisor partners totaling 100 hours, and ongoing participation in technical advisory committee meetings associated with the school's career technical education programs. (4-6-23)

c. Industry-Based Occupational Specialist Certificate. Persons who hold an occupational specialist career technical certificate are eligible to teach in a career technical program pathway(s), subject to the grade range(s) and pathway areas(s) of the valid endorsement(s) attached to the certificate. All occupational specialist career technical certificates require candidates to meet the core teaching standards of the Idaho Standards for Initial Certification of Professional School Personnel. An occupational specialist career technical certificate may be issued to an experienced industry expert entering the teaching profession and meeting the following eligibility requirements: (3-15-22)

i. Possess either a high school diploma or General Educational Development (GED) certificate; meet provisions of Idaho Code; and, verify technical skills through work experience, industry certification or testing as listed below. When applicable, requirements of occupationally related state agencies must also be met. Since

educational levels and work experiences vary, applicants may be determined qualified under any one (1) of the following three (3) options: (3-15-22)

(1) Have three (3) years or six thousand (6,000) hours of recent, gainful employment in the occupation for which certification is requested, at least half of which must have been during the immediate previous five (5) years; or (3-15-22)

(2) Have a baccalaureate degree in the specific occupation or related area, plus one (1) year or two thousand (2,000) hours of recent, gainful employment in the occupation for which certification is requested, at least half of which must have been during the immediate previous five (5) years; or (3-15-22)

(3) Hold or have held an industry certification in a field closely related to the content area in which the individual seeks to teach as approved by the Division of Career Technical Education. (3-15-22)

ii. Limited Occupational Specialist Certificate. This certificate is issued to individuals who are new to teaching in Idaho public schools or new to teaching in career technical education in Idaho public schools. The certificate is an interim certificate and is valid for three (3) years and is non-renewable. Applicants must meet all of the minimum requirements established in Subsection 015.06.a. of these rules. Individuals on a limited occupational specialist certificate must complete one (1) of the two (2) following pathways during the validity period of the certificate: (3-15-22)

(1) Pathway I - Coursework: Within the three-year period of the Limited Occupational Specialist Certificate, the instructor must satisfactorily complete the pre-service training prescribed by the Division of Career Technical Education and demonstrate competencies in principles/foundations of occupational education and methods of teaching occupational education. Additionally, the instructor must satisfactorily demonstrate competencies in two (2) of the following areas: career pathways and guidance; analysis, integration, and curriculum development; and measurement and evaluation. (3-15-22)

(2) Pathway II – Cohort Training: Within the first twelve (12) months, the holder must enroll in the Division of Career Technical Education sponsored education pedagogy training and complete all requirements within the three-year validity period of the interim certificate. (3-15-22)

iii. Standard Occupational Specialist Certificate. (3-15-22)

(1) This certificate is issued to individuals who have held a limited occupational specialist certificate and completed one (1) of the pathways for renewable certification. (3-15-22)

(2) The Standard Occupational Specialist Certificate is valid for five (5) years and must meet the renewal requirements pursuant to Section 060 of these rules to renew. Credit equivalency will be based on verification of forty-five (45) hours of participation at approved technical conferences, institutes, or workshops where participation is prorated at the rate of fifteen (15) hours per credit; or one hundred twenty (120) hours of approved related work experience where hours worked may be prorated at the rate of forty (4) hours per credit; or any equivalent combination thereof. (4-6-23)

iv. Advanced Occupational Specialist Certificate. This certificate is issued to individuals who are eligible for the Standard Occupational Specialist Certificate; and provide evidence of completion of a teacher training degree program or eighteen (18) semester credits of Division of Career Technical Education approved education or content-related course work in addition to the twelve (12) semester credits required for the Standard Occupational Specialist Certificate (a total of thirty (30) semester credits. The Advanced Occupational Specialist Certificate is valid for five (5) years and must meet the renewal requirements pursuant to Section 060 of these rules to renew. (4-6-23)

05. Postsecondary Specialist Certificate. A Postsecondary Specialist certificate will be granted to a current academic faculty member whose primary employment is with any accredited Idaho postsecondary institution. To be eligible to teach in the public schools under this postsecondary specialist certificate, the candidate must supply a recommendation from the employing institution (faculty's college dean). The primary use of this state-issued certificate is for distance education, virtual classroom programs, and public and postsecondary partnerships.

(3-15-22)

- a. To renew this certificate, the renewal application must be accompanied with a new written recommendation from the postsecondary institution (faculty's college dean level or higher). (3-15-22)
- b. The candidate must meet the following qualifications: (3-15-22)
 - i. Hold a baccalaureate degree or higher in the content area being taught; (3-15-22)
 - ii. Be currently employed by the postsecondary institution in the content area to be taught; and (3-15-22)
 - iii. Complete and pass a criminal history background check as required by [Section 33-130, Idaho Code](#). (3-15-22)

06. American Indian Tribal Language Certificate. The five (5) federally recognized tribes of Idaho shall provide to the State Department of Education the names of those highly and uniquely qualified individuals who have been designated to teach tribal language(s) in accordance with [Section 33-1280, Idaho Code](#). To be eligible for an American Indian Tribal Languages certificate an applicant designated to teach tribal language(s) shall submit a complete application. If approved the certificate shall be issued for five years and is renewable. (3-15-22)

07. Junior Reserved Officer Training Corps (Junior ROTC) Instructors. (3-15-22)

- a. To be eligible for a Junior ROTC Instructor certificate, an applicant shall submit a complete application and provide a copy of their certificate(s) or letter of completion of an armed forces Junior ROTC training program. (3-15-22)
- b. If approved the certificate shall be issued for five years and is renewable. (3-15-22)

08. Additional Renewal Requirements. In addition to specific certificate or endorsement renewal requirements, applicants must meet the following renewal requirements as applicable: (3-15-22)

- a. Administrator certificate renewal. In order to recertify, holders of an administrator certificate must complete a course consisting of a minimum of three (3) semester credits in the Idaho framework for teachers' evaluation pursuant to [Section 33-1204, Idaho Code](#). Credits must be earned through an approved educator preparation program and include a laboratory component. The laboratory component must include in-person or video observation and scoring of teacher performance using the statewide framework for teacher's evaluation. The approved course must include the following competencies: (3-15-22)
 - i. Understanding professional practice in Idaho evaluation requirements, including gathering accurate evidence and artifacts, understanding and using the state framework for evaluation rubric with fidelity, proof of calibration and interrater reliability, ability to provide effective feedback for teacher growth, and understanding and advising teachers on individualized learning plan and portfolio development. (3-15-22)
 - ii. Understanding student achievement and growth in the Idaho evaluation framework, including understanding how measurable student achievement and growth measures impact summative evaluation ratings and proficiency in assessment literacy. (3-15-22)

016. IDAHO INTERIM CERTIFICATE.

A three (3) year interim certificate may be issued to applicants who hold a valid certificate or license from another state or other entity that participates in the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Agreement pursuant to [Section 33-4104, Idaho Code](#), or who are engaged in or completed a non-traditional route or alternative authorization to certification as prescribed herein. An interim certificate gives the holder the same rights and responsibilities as an individual with a standard certificate. (4-6-23)

01. Interim Certificate Not Renewable. Interim certification is only available on a one (1) time basis except under extenuating circumstances approved by the State Department of Education or Division of Career

Technical Education. An applicant must meet the requirements of the applicable alternate authorization route or non-traditional route to obtain a standard Idaho Educator Credential during the term of the interim certificate. (3-15-22)

02. Non-Traditional Route to Teacher Certification. An individual may acquire interim certification through a state board approved non-traditional route to teacher certification program. The non-traditional route may be used for first-time certification, subsequent certificates, and additional endorsements. (3-15-22)

a. Individuals who possess a baccalaureate degree or higher from an institution of higher education accredited by an entity recognized by the state board of education may receive an interim instructional certificate. To receive the interim certificate, the individual must: (3-15-22)

i. Complete or enroll in a state board approved program; and (3-15-22)

ii. Pass the state board approved pedagogy and content area assessment. (3-15-22)

b. Standard certification. Upon completion of the non-traditional route the applicant must complete a two (2) year state board approved teacher mentoring program and receive two (2) years of Idaho evaluations with a summative rating of proficient or better. (4-6-23)

03. Idaho Comprehensive Literacy Course. All Idaho teachers working on an interim certificate (alternate authorizations, nontraditional routes, reinstatement, or coming from out of state), must complete a state board approved Idaho Comprehensive Literacy course or assessment as a one-time requirement for standard instructional certificate. (3-15-22)

04. Teaching For Mathematical Thinking. All Idaho teachers or administrators with an interim certificate (alternate authorizations, nontraditional routes, reinstatements or coming from out of state), with an All Subjects (K-8) endorsement, any mathematics endorsement, Exceptional Child Education endorsement, Blended Early Childhood/Early Childhood Special Education endorsement, or Administrator certificate must complete the state board approved Teaching for Mathematical Thinking, course, as a one-time requirement for full certification. (4-6-23)

05. Reinstatement of Expired Certificate. An individual holding an expired standard Idaho certificate may be issued an interim certificate. During the validity period of the interim certificate, the applicant must meet the following requirements to obtain standard certification during the term of the interim certificate: ~~(3-15-22)~~()

a. Two (2) years of Idaho evaluations, as applicable to the type of certification, with a summative rating of proficient or better; (4-6-23)

b. Measured annual progress on specific goals identified on the applicant's Individualized Professional Learning Plan; (3-15-22)

c. Completion of six (6) credit renewal requirement; and (4-6-23)

d. Completion of the Idaho Comprehensive Literacy Course or Teaching for Mathematical Thinking as provided herein. (3-15-22)

e. Individuals holding an expired certificate that was in good standing at the time the certificate expired, may have the certificate reinstated within one (1) year of the time the certificate expired by completing any outstanding professional development requirements that were pending at the time the certificate expired. (4-6-23)

06. Codes of Ethics. All laws and rules governing standard certificated staff with respect to conduct, discipline, and professional standards shall apply to all certified staff serving in an Idaho public school, including those employed under an interim certificate. (3-15-22)

(BREAK IN CONTINUITY OF SECTIONS)

021. ENDORSEMENTS.

Holders of an Instructional Certificate ~~or~~ including Occupational Specialist Certificates must have one (1) or more endorsements attached to their certificate as applicable to the type of certification. Instructional staff are eligible to teach in the grades and content areas of their endorsements. Idaho educator preparation programs shall prepare candidates for endorsements in accordance with these certification requirements and the standards approved by the board. An official statement from the college of education of competency in a content area or field is acceptable in lieu of required credits if such statements are created in consultation with 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. Statements must include the number of credits the competency evaluation is equivalent to. To add an endorsement to a certificate, an individual must complete the credit hour requirements as established by the state board of education and meet or exceed the state qualifying score on a board approved content, pedagogy or performance assessment. (4-6-23)()

01. Clinical Experience Requirement. All standard endorsements require supervised clinical experience in the relevant content area, or a State Department of Education or Division of Career Technical Education approved alternative clinical experience as applicable to the area of endorsement. (4-6-23)

02. Alternative Authorization - Teacher to New Endorsement. This alternative authorization allows a local education agency to request additional endorsement for a candidate who holds an instructional certificate applicable to the type of endorsement. This authorization is valid for one (1) year and may be renewed for two (2) additional years with evidence of satisfactory progress on one (1) of the following options: (4-6-23)()

a. Option I -- An official statement of competency in a teaching area or field from the college of education of an accredited college or university is acceptable in lieu of courses if the statement is created in consultation with the department or division in which the competency is established and is approved by the director of teacher education of the recommending college or university. (3-15-22)

b. Option II -- Master's degree or higher. By earning a graduate degree in a content specific area, candidates may add an endorsement in that same content area to a valid instructional certificate. Successful completion of a one (1) year, state board approved mentoring program must be completed during the first year to maintain the endorsement. (4-6-23)

c. Option III -- Content area assessment and mentoring. A candidate may add an endorsement by successfully completing a state board-approved content areas assessment and a one-year, state board-approved mentoring program within the first year of authorization. (3-15-22)

d. For all candidates ~~moving to an initial certification in a career technical education endorsement area holding a career technical education certification~~, the candidate will be required to complete or have completed ~~coursework in principles and foundations of career technical education and career technical student organizations, training in occupational analysis and curriculum design, and~~ a minimum of two hundred (200) internship/externship or professional industry work experience hours in the career technical education endorsement area. (4-6-23)()

03. National Board Certification. An applicant holding an instructional certificate and current national board certification may add an endorsement in a corresponding content-specific area. (3-15-22)

(BREAK IN CONTINUITY OF SECTIONS)

076. CODE OF ETHICS FOR IDAHO PROFESSIONAL EDUCATORS (SECTIONS 33-1208 AND 33-1209, IDAHO CODE).

Believing in the worth and dignity of each human being, the professional educator recognizes the supreme importance of pursuing truth, striving toward excellence, nurturing democratic citizenship and safeguarding the freedom to learn and to teach while guaranteeing equal educational opportunity for all. The professional educator accepts the responsibility to practice the profession according to the highest ethical principles. The Code of Ethics for Idaho Professional Educators symbolizes the commitment of all Idaho educators and provides principles by which to

judge conduct. (3-15-22)

01. Aspirations and Commitments. (3-15-22)

a. The professional educator aspires to stimulate the spirit of inquiry in students and to provide opportunities in the school setting that will help them acquire viable knowledge, skills, and understanding that will meet their needs now and in the future. (3-15-22)

b. The professional educator provides an environment that is safe to the cognitive, physical and psychological well-being of students and provides opportunities for each student to move toward the realization of his goals and potential as an effective citizen. (3-15-22)

c. The professional educator, recognizing that students need role models, will act, speak and teach in such a manner as to exemplify nondiscriminatory behavior and encourage respect for other cultures and beliefs. (3-15-22)

d. The professional educator is committed to the public good and will help preserve and promote the principles of democracy. He will provide input to the local school board to assist in the board's mission of developing and implementing sound educational policy, while promoting a climate in which the exercise of professional judgment is encouraged. (3-15-22)

e. The professional educator believes the quality of services rendered by the education profession directly influences the nation and its citizens. He strives, therefore, to establish and maintain the highest set of professional principles of behavior, to improve educational practice, and to achieve conditions that attract highly qualified persons to the profession. (3-15-22)

f. The professional educator regards the employment agreement as a pledge to be executed in a manner consistent with the highest ideals of professional service. He believes that sound professional personal relationships with colleagues, governing boards, and community members are built upon integrity, dignity, and mutual respect. The professional educator encourages the practice of the profession only by qualified persons. (3-15-22)

02. Principle I - Professional Conduct. A professional educator abides by all federal, state, and local education laws and statutes. Unethical conduct shall include the conviction of any felony or misdemeanor offense set forth in [Section 33-1208, Idaho Code](#). (3-15-22)

03. Principle II - Educator/Student Relationship. A professional educator maintains a professional relationship with all students, both inside and outside the physical and virtual classroom. [All digital communication with students must occur on approved district devices and platforms](#). Unethical conduct includes, but is not limited to: (3-15-22)()

a. Committing any act of child abuse, including physical or emotional abuse; (3-15-22)

b. Committing any act of cruelty to children or any act of child endangerment; (3-15-22)

c. Committing or soliciting any sexual act from any minor or any student regardless of age; (3-15-22)

d. Committing any act of harassment as defined by local education agency policy; (3-15-22)

e. Soliciting, encouraging, or consummating a romantic relationship (whether written, verbal, virtual, or physical) with a student, regardless of age; (3-15-22)

f. Soliciting or encouraging any form of personal relationship with a student that a reasonable educator would view as undermining the professional boundaries necessary to sustain an effective educator-student relationship; (3-15-22)

g. Using inappropriate language including, but not limited to, swearing and improper sexual

comments (e.g., sexual innuendos or sexual idiomatic phrases); (3-15-22)

h. Taking or possessing images (digital, photographic, or video) of students of a harassing, confidential, or sexual nature; (3-15-22)

i. Inappropriate contact with any minor or any student regardless of age using electronic or social media; (3-15-22)

j. Furnishing alcohol or illegal or unauthorized drugs to any student or allowing or encouraging a student to consume alcohol or unauthorized drugs except in a medical emergency; (3-15-22)

k. Conduct that is detrimental to the health or welfare of students; and (3-15-22)

l. Deliberately falsifying information presented to students. (3-15-22)

04. Principle III - Alcohol and Drugs Use or Possession. A professional educator refrains from the abuse of alcohol or drugs during the course of professional practice. Unethical conduct includes, but is not limited to: (3-15-22)

a. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming illegal or unauthorized drugs; (3-15-22)

b. Being on school premises or at any school-sponsored activity, home or away, involving students while possessing, using, or consuming alcohol; (3-15-22)

c. Inappropriate or illegal use of prescription medications on school premises or at any school-sponsored events, home or away; (3-15-22)

d. Inappropriate or illegal use of drugs or alcohol that impairs the individual's ability to function; and (3-15-22)

e. Possession of an illegal drug as defined in [Title 37, Chapter 27, Idaho Code](#), Uniform Controlled Substances. (~~3-15-22~~)()

05. Principle IV - Professional Integrity. A professional educator exemplifies honesty and integrity in the course of professional practice. Unethical conduct includes, but is not limited to: (3-15-22)

a. Fraudulently altering or preparing materials for licensure or employment; (3-15-22)

b. Falsifying or deliberately misrepresenting professional qualifications, degrees, academic awards, and related employment history when applying for employment or licensure; (3-15-22)

c. Failure to notify the state at the time of application for licensure of past revocations or suspensions of a certificate or license from another state; (3-15-22)

d. Failure to notify the state at the time of application for licensure of past criminal convictions of any crime violating the statutes or rules governing teacher certification; (3-15-22)

e. Falsifying, deliberately misrepresenting, or deliberately omitting information regarding the evaluation of students or personnel, including improper administration of any standardized tests (changing test answers; copying or teaching identified test items; unauthorized reading of the test to students, etc.); (3-15-22)

f. Falsifying, deliberately misrepresenting, or deliberately omitting reasons for absences or leaves; (3-15-22)

g. Falsifying, deliberately misrepresenting, or deliberately omitting information submitted in the course of an official inquiry or investigation; (3-15-22)

h. Falsifying, deliberately misrepresenting, or deliberately omitting material information on an official evaluation of colleagues; and (3-15-22)

i. Failure to notify the state of any criminal conviction of a crime violating the statutes and/or rules governing teacher certification. (3-15-22)

06. Principle V - Funds and Property. A professional educator entrusted with public funds and property honors that trust with a high level of honesty, accuracy, and responsibility. Unethical conduct includes, but is not limited to: (3-15-22)

a. Misuse, or unauthorized use, of public or school-related funds or property including district devices and networks; (~~3-15-22~~)()

b. Failure to account for school funds collected from students, parents, patrons, or other donors from all sources, including online donation platforms; (3-15-22)

c. Submission of fraudulent requests for reimbursement of expenses or for pay; (3-15-22)

d. Co-mingling of public or school-related funds in personal ~~bank~~ account(s); (~~3-15-22~~)()

e. Unauthorized ~~Use~~ of school property for private financial gain; (~~3-15-22~~)()

f. ~~Use of school computers to deliberately view or print pornography~~ Engaging in sexually explicit activity on a school device or network including, but not limited to, viewing pornographic or sexually explicit images, engaging in sexually explicit conversations, or creating or exchanging any type of sexually explicit content; and, (~~3-15-22~~)()

g. Deliberate use of poor budgeting or accounting practices. (3-15-22)

07. Principle VI - Compensation. A professional educator maintains integrity with students, colleagues, parents, patrons, or business personnel when accepting gifts, gratuities, favors, and additional compensation. Unethical conduct includes, but is not limited to: (3-15-22)

a. Unauthorized solicitation of students or parents of students to purchase equipment, supplies, or services from the educator who will directly benefit; (3-15-22)

b. Acceptance of gifts from vendors or potential vendors for personal use or gain where there may be the appearance of a conflict of interest; (3-15-22)

c. Tutoring students assigned to the educator for remuneration unless approved by the local board of education; ~~and~~; (~~3-15-22~~)()

d. Soliciting, accepting, or receiving a financial benefit greater than fifty dollars (\$50) as defined in Section 18-1359(b), Idaho Code; ~~and~~; (~~3-15-22~~)()

e. Keeping for oneself donations, whether money or items, that were solicited or accepted for the benefit of a student, class, classroom, or school. (3-15-22)

08. Principle VII - Confidentiality. A professional educator complies with state and federal laws and local school board policies relating to the confidentiality of student and employee records, unless disclosure is required or permitted by law. Unethical conduct includes, but is not limited to: (3-15-22)

a. Sharing of confidential information concerning student academic and disciplinary records, personal confidences, health and medical information, family status or income, and assessment or testing results with inappropriate individuals or entities; and (3-15-22)

b. Sharing of confidential information about colleagues obtained through employment practices with inappropriate individuals or entities. (3-15-22)

09. Principle VIII - Breach of Contract or Abandonment of Employment. A professional educator fulfills all terms and obligations detailed in the contract with the local board of education or education agency for the duration of the contract. Unethical conduct includes, but is not limited to: (3-15-22)

a. Abandoning any contract for professional services without the prior written release from the contract by the employing local education agency; (3-15-22)

b. Willfully refusing to perform the services required by a contract; and, (3-15-22)

c. Abandonment of classroom or failure to provide appropriate supervision of students at school or school-sponsored activities to ensure the safety and well-being of students. (3-15-22)

10. Principle IX - Duty to Report. A professional educator reports breaches of the Code of Ethics for Idaho Professional Educators and submits reports as required by Idaho Code. Unethical conduct includes, but is not limited to: (3-15-22)

a. Failure to comply with [Section 33-1208A, Idaho Code](#), (reporting requirements and immunity); (3-15-22)

b. Failure to comply with [Section 16-1605, Idaho Code](#), (reporting of child abuse, abandonment or neglect); (3-15-22)

c. Failure to comply with [Section 33-512B, Idaho Code](#), (suicidal tendencies and duty to warn); and (3-15-22)

d. Having knowledge of a violation of the Code of Ethics for Idaho Professional Educators and failing to report the violation to an appropriate education official. (3-15-22)

11. Principle X - Professionalism. A professional educator ensures just and equitable treatment for all members of the profession in the exercise of academic freedom, professional rights and responsibilities ~~while~~. [A professional educator](#) follows generally recognized professional principles. Unethical conduct includes, but is not limited to: (3-15-22)()

a. Any conduct that seriously impairs the Certificate holder's ability to teach or perform his professional duties; (3-15-22)

b. Committing any act of harassment toward a colleague; (3-15-22)

c. Failure to cooperate with the Professional Standards Commission in inquiries, investigations, or hearings; (3-15-22)

d. Using institutional privileges for the promotion of political candidates or for political activities, except for local, state or national education association elections; (3-15-22)

e. Willfully interfering with the free participation of colleagues in professional associations; and (3-15-22)

f. Taking, possessing, or sharing images (digital, photographic, or video) of colleagues of a harassing, confidential, or sexual nature. (3-15-22)

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.03 – RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-2501

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](#), [33-116](#), [33-118](#), and [33-1612](#), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 15, 2025.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than one (1) day 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 change will edit the incorporated by reference Special Education Manual document, subsection 004.04. The incorporated by reference document was revised and approved in the previous years, 2024-25, rulemaking cycle. The section of the manual updated was the Specific Learning Disability (SLD) section, following an inquiry from the U.S. Department of Education's Office of Special Education Programs (OSEP) in 2023. Concurrently, the Idaho Department of Education underwent a Differentiated Monitoring and Support 2.0 (DMS 2.0) review by OSEP, which identified additional areas of concern. However, due to timing and procedural requirements for public input under the [Individuals with Disabilities Education Act \(IDEA\)](#), as well as rulemaking timelines set by the Department of Financial Management (DFM) and the Office of the State Board of Education (OSBE), these concerns could not be addressed in the same revision as the SLD update that was completed in the 2024-25 rulemaking cycle.

2025-26 manual updates and clarifications include: specific learning disability (SLD) eligibility requirements; guidance related to charter school, private school, and home-school students; and guidance related to graduation requirements and discipline.

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

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year 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 June 4, 2025 Idaho Administrative Bulletin, [Volume 25-6, p 20-21](#).

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:

By aligning the Idaho SPED manual to the federal Individuals with Disabilities Education Act, the state will directly address concerns as expressed by OSEP and comply with federal law.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2025.

DATED this 21st day of August, 2025.

Nicholas Wagner, Agency Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, ID 83720-0037
Phone: (208)488-7586
Fax: (208)334-2632

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0203-2501
(Only Those Sections With Amendments Are Shown.)**

08.02.03 – RULES GOVERNING THOROUGHNESS

000. LEGAL AUTHORITY.

~~All rules in this Thoroughness chapter (IDAPA 08.02.03) are promulgated pursuant to the authority of the State Board of Education under Article IX, Section 2 of the Idaho Constitution and under Sections 33-116, 33-118, and 33-1612, Idaho Code. Specific statutory references for particular rules are also noted as additional authority where appropriate.~~
(3-15-22)()

(BREAK IN CONTINUITY OF SECTIONS)

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-15-22)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (3-15-22)

- a.** Arts and Humanities Categories: (3-15-22)
 - i. Dance, as revised and adopted on June 12, 2024; (7-1-25)
 - ii. Interdisciplinary Humanities, as revised and adopted on June 12, 2024; (7-1-25)
 - iii. Media Arts, as adopted on June 12, 2024. (7-1-25)
 - iv. Music, as revised and adopted on June 12, 2024; (7-1-25)
 - v. Theater, as revised and adopted on June 12, 2024; (7-1-25)
 - vi. Visual Arts, as revised and adopted on June 12, 2024; (7-1-25)
 - vii. World languages, as revised and adopted on June 12, 2024. (7-1-25)

- b. Computer Science, adopted on June 12, 2024. (7-1-25)
 - c. Driver Education, as revised and adopted on June 12, 2024. (7-1-25)
 - d. Health, as revised and adopted on August 24, 2022. (4-6-23)
 - e. Information and Communication Technology, as revised and adopted on June 12, 2024. (7-1-25)
 - f. Physical Education, as revised and adopted on August 24, 2022. (4-6-23)
 - g. Social Studies, as revised and adopted on June 12, 2024. [**note – Grade 4 Social Studies and Grade 6-12 U.S. World History 1 remain as adopted on November 28, 2016.*] (7-1-25)
 - h. College and Career Readiness Competencies adopted on June 15, 2017. (3-15-22)
- 02. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing.** As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (3-15-22)
- 03. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired.** As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (3-15-22)
- 04. The Idaho Special Education Manual.** The Idaho Special Education Manual as adopted by the State Board of Education on ~~November 21, 2024~~ August 20, 2025. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (7-1-25)()

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently of full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the state of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

IDAHO DEPARTMENT OF EDUCATION
IDAPA 08.02.03 - Rules Governing Thoroughness
Proposed Rulemaking - Docket No. 08-0203-2501

The Idaho Special Education manual is incorporated by reference under Rule 02.02.03.004.04. The change to the manual includes an update to Idaho's processes and procedures required to implement the federal Individuals with Disabilities Education Act (IDEA) following an inquiry by the U.S. Department of Education's Office of Special Education Programs (OSEP); specifically, specific learning disability (SLD) eligibility requirements. By aligning the Idaho SPED manual to the federal Individuals with Disabilities Education Act, the state will directly address concerns as expressed by OSEP and comply with federal law.

Key changes outlined in the document include:

- **Acronyms and Abbreviations:** *The list has been updated to reflect current terminology, with antiquated or unused acronyms removed and new ones added.*
- **Glossary:** *The glossary was updated with new terms and to ensure consistency of definitions. Terms were removed, updated, and new terms were added.*
- **Legal Citations:** *Legal citations were updated to align with current Idaho Code, OSEP guidance, and IDEA regulations.*
- **Evaluation and Eligibility (Chapter 4):** *This chapter was updated to clarify Idaho processes for special education evaluations. Changes were made to the criteria for Specific Learning Disability to correct noncompliance with OSEP's interpretation of IDEA. The document also lists required team members for an evaluation team and changes the 60-day timeline to a strict 60 calendar days, not allowing for periods when school is not in session. Specific eligibility categories were updated, including Developmental Delay, Intellectual Disability, Language Impairment, Multiple Disabilities, Other Health Impairment, Speech Impairment, and Traumatic Brain Injury.*

- **Individualized Education Programs (IEPs) (Chapter 5):** Changes to this chapter clarify Idaho procedures for developing and implementing IEPs. It also addresses potential concerns raised by OSEP.
- **Least Restrictive Environment (LRE) (Chapter 6):** This chapter was updated to provide clarifying and more specific guidance related to LRE.
- **Discontinuation of Services, Graduation, and Grading (Chapter 7):** This chapter provides guidance on discontinuing services and graduation requirements, including procedural language for conducting a comprehensive evaluation before determining that a student no longer meets eligibility requirements.
- **Charter Schools (Chapter 8):** This chapter provides guidance on charter schools, including a new section on the new charter verification process.
- **Private Schools (Chapter 9):** This chapter provides guidance on Child Find and FAPE for private school students.
- **Homeschool (New Chapter 10):** A new chapter was added to address LEA obligations related to Child Find and FAPE for homeschool students.
- **Discipline (Chapter 11):** This chapter provides guidance on addressing challenging behavior and clarifies student rights and LEA obligations.
- **Procedural Safeguards (Chapter 12):** This chapter was revised to reflect other manual updates and to ensure language clarity for parents and adult students.
- **Dispute Resolution (Chapter 13):** This chapter was updated to reflect OSEP feedback and to clarify language for LEAs and parents.
- **General Supervision System Requirements (Chapter 14):** This new chapter outlines the Department's general supervision requirements and LEA responsibilities.

<https://sde.idaho.gov/sped/>

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.03 – RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-2502

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](#), [33-116](#), [33-118](#), and [33-1612](#), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 15, 2025.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than one (1) day 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 rule changes are to the Social Studies K-12 content standards incorporated by reference document outlined in subsection 004.01.g, will be reviewed following the 2025 legislative session. The Social Studies standards were reviewed during the 2023-2024 school year and submitted to the Idaho Legislature for final approval during the 2025 session. The Legislature rejected portions of the revised Social Studies standards and would like the standards reviewed again. Based on the 2025 legislative action, revisions to the Social Studies standards have been facilitated by the Idaho Department of Education for legislative consideration during the 2026 session.

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

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state General Fund greater than ten thousand dollars (\$10,000) during the fiscal year 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 June 4, 2025 Idaho Administrative Bulletin, [Volume 25-6, p 18-19](#).

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:

Based on legislative action, revisions to the Grade 4 Social Studies and Grades 6-12 U.S. History I content standards have been facilitated by the Idaho Department of Education. Further, a new section on Grades 9-12 Western Civilization has been facilitated, as well, for legislative consideration during the 2026 session.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2025.

DATED this 21st day of August, 2025.

Nicholas Wagner, Agency Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, ID 83720-0037
Phone: (208)488-7586
Fax: (208)334-2632

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 08-0203-2502
(Only Those Sections With Amendments Are Shown.)

08.02.03 – RULES GOVERNING THOROUGHNESS

000. LEGAL AUTHORITY.

All rules in this Thoroughness chapter (IDAPA 08.02.03) are promulgated pursuant to the authority of the State Board of Education under Article IX, Section 2 of the Idaho Constitution and under Sections 33-116, 33-118, and 33-1612, Idaho Code. Specific statutory references for particular rules are also noted as additional authority where appropriate. (3-15-22)()

(BREAK IN CONTINUITY OF SECTIONS)

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-15-22)

01. **The Idaho Content Standards.** The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (3-15-22)

- a. Arts and Humanities Categories: (3-15-22)
 - i. Dance, as revised and adopted on June 12, 2024; (7-1-25)
 - ii. Interdisciplinary Humanities, as revised and adopted on June 12, 2024; (7-1-25)
 - iii. Media Arts, as adopted on June 12, 2024. (7-1-25)
 - iv. Music, as revised and adopted on June 12, 2024; (7-1-25)
 - v. Theater, as revised and adopted on June 12, 2024; (7-1-25)
 - vi. Visual Arts, as revised and adopted on June 12, 2024; (7-1-25)
 - vii. World languages, as revised and adopted on June 12, 2024. (7-1-25)
- b. Computer Science, adopted on June 12, 2024. (7-1-25)
- c. Driver Education, as revised and adopted on June 12, 2024. (7-1-25)
- d. Health, as revised and adopted on August 24, 2022. (4-6-23)
- e. Information and Communication Technology, as revised and adopted on June 12, 2024. (7-1-25)
- f. Physical Education, as revised and adopted on August 24, 2022. (4-6-23)
- g. Social Studies, as revised and adopted on ~~June 12, 2024.~~ [*note – ~~Grade 4 Social Studies and Grade 6-12 U.S. World History I remain as adopted on November 28, 2016.~~ August 20, 2025. (7-1-25)()

h. College and Career Readiness Competencies adopted on June 15, 2017. (3-15-22)

02. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (3-15-22)

03. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired. As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (3-15-22)

04. The Idaho Special Education Manual. The Idaho Special Education Manual as adopted by the State Board of Education on November 21, 2024. Copies of the document can be found on the State Board of Education website at <https://boardofed.idaho.gov/board-policies-rules/board-rules/documents-incorporated-by-reference-or-rule/>. (7-1-25)

INCORPORATION BY REFERENCE SYNOPSIS

In compliance with Section 67-5223(4), Idaho Code, the following is a synopsis of the differences between the materials previously incorporated by reference in this rule that are currently of full force and effect and newly revised or amended versions of these same materials that are being proposed for incorporation by reference under this rulemaking.

The following agency of the state of Idaho has prepared this synopsis as part of the proposed rulemaking for the chapter cited here under the docket number specified:

IDAHO DEPARTMENT OF EDUCATION
IDAPA 08.02.03 - Rules Governing Thoroughness
Proposed Rulemaking - Docket No. 08-0203-2502

The Idaho Content Standards are incorporated by reference under Rule 08.02.03.004.01. All standards are reviewed on a five-year cycle through a process facilitated by the Idaho Department of Education. The Social Studies standards (subsection g) were reviewed during the 2023-2024 school year and submitted to the Idaho legislature for final approval during the 2025 session. The legislature rejected portions of the revised Social Studies standards and asked that they be reviewed again. Based on this legislative action, revisions to the Grade 4 Social Studies and Grades 6-12 U.S. History I content standards have been facilitated by the Idaho Department of Education. Further, a new section on Grades 9-12 Western Civilization has been facilitated, as well, for legislative consideration during the 2026 session.

<https://www.sde.idaho.gov/academic/standards/>