

102. INSTRUCTIONAL REQUIREMENTS.

All schools will deliver a core of instruction and advisement programs (see Section 108, Guidance Programs) for each student in elementary schools, middle schools/junior high and high schools. (4-5-00)

01. Standards. All students will meet standards established locally (at a minimum, the standards of the state) through rigorous accountability, which include challenging examinations, demonstrations of achievement, and other appropriate tests and measures. (4-5-00)

02. Curriculum Guides. The State Department of Education Curriculum Guides and any Achievement Standards Samples of Application may be used voluntarily and are designed to assist school districts as they develop educational programs and achievement standards. Notwithstanding the above, the State Division of Professional-Technical Education will prepare curriculum guides and instructional aids for professional-technical education programs in the public schools. (Section 33-118, Idaho Code) (3-15-02)

103. INSTRUCTION GRADES 1-12.

01. Instruction. Instruction is inclusive of subject matter, content and course offerings. Patterns of instructional organization are a local school district option. Schools will assure students meet locally developed standards with the state standards as a minimum.* (*This includes special instruction that allows limited English proficient students to participate successfully in all aspects of the school's curriculum and keep up with other students in the regular education program. It also includes special learning opportunities for accelerated, learning disabled students and students with other disabilities.) (4-5-00)

02. Instructional Courses. At appropriate grade levels, instruction will include but not be limited to the following: (4-11-06)

a. Language Arts and Communication will include instruction in reading, writing, English, literature, technological applications, spelling, speech and listening. (4-1-97)

b. Mathematics will include instruction in addition, subtraction, multiplication, division, percentages, mathematical reasoning and probability. (4-1-97)

c. Science will include instruction in applied sciences, earth and space sciences, physical sciences, and life sciences. (4-1-97)

d. Social Studies will include instruction in history, government, geography, economics, current world affairs, citizenship, and sociology. (4-1-97)

104. OTHER REQUIRED INSTRUCTION.

Other required instruction for all students and other required offerings of the school are: (4-1-97)

01. Elementary Schools. (4-11-06)

a. The following section outlines other information required for all elementary students, as well as other required offerings of the school:

Fine Arts (art and music)
Health (wellness)
Physical Education (fitness) (4-11-06)

b. Additional instructional options as determined by the local school district. For example:
Languages other than English
Career Awareness (4-1-97)

02. Middle Schools/Junior High Schools. (4-11-06)

a. No later than the end of Grade eight (8) each students shall develop parent-approved student learning plans for their high school and post-high school options. The learning plan shall be developed by students with the assistance of parents or guardians, and with advice and recommendation from school personnel. It shall be reviewed annually and may be revised at any time. The purpose of a parent-approved student learning plan is to outline a course of study and learning activities for students to become contributing members of society. A student learning plan describes, at a minimum, the list of courses and learning activities in which the student will engage while working toward meeting the school district's or LEA's graduation standards. The school district or LEA will have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the learning plan. A learning plan will not be required if the parent or guardian requests, in writing, that no learning plan be developed. (4-11-06)

b. (Effective for all students that enter the sixth grade in the fall of 2006 or later.) A student must have taken pre-algebra before the student will be permitted to enter grade nine (9). (4-11-06)

c. Other required instruction for all middle school students:
Health (wellness)
Physical Education (fitness) (4-11-06)

d. Other required offerings of the school:
Family and Consumer Science
Fine & Performing Arts
Professional Technical Education
Advisory Period (middle school only, encouraged in junior high school) (4-11-06)

03. High Schools (Grades 9-12) (Effective for all students that graduate prior to January 1, 2012).
Students will maintain a parent-approved student learning plan for their high school and post-high school options. The learning plan will be developed by students and parents or guardians with advice and recommendation from school personnel. It will be reviewed annually and may be revised at any time. The purpose of a parent-approved student learning plan is to outline a course of study and learning activities for students to become contributing members of society. The learning plan outlines a student's program of study, which should include a rigorous academic core and a related sequence of electives in academic, professional-technical education (PTE), or humanities aligned with the student's post graduation goals. The school district will have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the learning plan. A learning plan will not be required if the parent or guardian requests, in writing, that no learning plan be developed. (4-11-06)

a. Other required instructional offerings of the high school. Each student must complete credit and achievement standards in at least two (2) of the following areas of instructional offerings:
Physical Education (fitness)
Humanities
Professional Technical Education (including work-based learning)
Family and Consumer Science
Fine and Performing Arts
Languages other than English (may include indigenous languages or sign language) (4-11-06)

105. GRADUATION FROM HIGH SCHOOL.

A student must meet all of the following requirements before the student will be eligible to graduate from an Idaho high school: (4-11-06)

01. Credit Requirements. (3-30-07)

a. (Effective for all students that graduate prior to January 1, 2013.) Each students shall demonstrate achievement in the CORE and other required subjects to include forty-two (42) semester credits, one (1) semester equaling one-half (1/2) year. (3-30-07)

b. (Effective for all students that enter the ninth grade in the fall of 2009 or later.) Each student shall

complete the requirements found in Section 107 and other subjects to include forty-six (46) semester credits, one (1) semester equaling one-half (1/2) year. (3-30-07)

02. Achievement Standards. Each student shall meet locally established subject area achievement standards (using state standards as minimum requirements) demonstrated through various measures of accountability including examinations or other measures. (4-11-06)

03. Proficiency (Effective January 1, 2006). Each student shall achieve a proficient or advanced score on the High School Idaho Standards Achievement Test (ISAT) in math, reading and language usage in order to graduate. Effective on January 1, 2012, each student shall also achieve a proficient or advanced score on the science portion of the ISAT in order to graduate. A student who does not attain at least a proficient score prior to graduation may appeal to the school district or LEA, and, at the discretion of the school district or LEA, may be given an opportunity to demonstrate proficiency of the achievement standards through some other locally established mechanism. All locally established mechanisms used to demonstrate proficiency shall be forwarded to the State Board of Education for review and information. (10-12-07)T

- a.** Before appealing to the school district or LEA for an alternate measure, the student must be: (4-11-06)
 - i.** Enrolled in a special education program and have an Individual Education Plan (IEP), or (3-20-04)
 - ii.** Enrolled in an Limited English Proficient (LEP) program for three (3) academic years or less, or (3-20-04)
 - iii.** Enrolled in the fall semester of the senior year. (3-20-04)
- b.** The measure must be aligned at a minimum to tenth grade state content standards; (3-20-04)
- c.** The measure must be aligned to the state content standards for the subject matter in question; (3-20-04)
- d.** The measure must be valid and reliable; and (3-20-04)
- e.** Ninety percent (90%) of the criteria of the measure, or combination of measures, must be based on academic proficiency and performance. (3-20-04)

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

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

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

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

107. HIGH SCHOOL GRADUATION REQUIREMENTS.

01. Requirements. (Effective for all students that graduate prior to January 31, 2013.) The State minimum graduation requirement for all Idaho public high schools is forty-two (42) semester credits and a proficient or advanced score on the ISAT (effective January 1, 2006). The core of instruction required by the State Board of Education is twenty-five (25) semester credits. Local school districts may establish graduation requirements beyond the state minimum. The local school district has the responsibility to provide education opportunities that meet the needs of students in both academic and professional-technical areas. It is the intent of the State Board of Education to give local school districts the flexibility to provide rigorous and challenging curriculum that is consistent with the

needs of students and the desire of their local patrons. (3-30-07)

02. Requirements. (Effective for all students that enter the ninth grade in the fall of 2009 or later.) The State minimum graduation requirement for all Idaho public high schools requires that a student take a minimum of forty-six (46) semester credits and achieve a proficient or advanced score on the ISAT, as described in Subsection 105.03. (10-12-07)T

- a. Twenty-nine (29) semester credits are required as listed in Subsections 107.03 through 107.08; and (3-30-07)
- b. A minimum of seventeen (17) elective credits. (3-30-07)
- c. All credit-bearing classes must be aligned with state high school standards in the content areas for which standards exist. (3-30-07)
- d. Local school districts or LEAs may establish graduation requirements beyond the state minimum. The local school district or LEA has the responsibility to provide educational opportunities that meet the needs of students in both academic and professional technical areas. It is the intent of the State Board of Education to give local school districts the flexibility to provide rigorous and challenging curriculum that is consistent with the needs of students and the desire of their local patrons. (3-30-07)

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

04. Mathematics. (3-30-07)

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

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

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

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

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

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

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

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

- a.** Secondary sciences shall include instruction in the following areas: (3-30-07)
 - i.** Biology; (3-30-07)
 - ii.** Physical science or chemistry; and (3-30-07)
 - iii.** Earth, space, environment, or approved applied science. (3-30-07)
 - b.** Four (4) credits of courses outlined in Subsection 107.05.a. must be laboratory based. (3-30-07)
 - c.** If a student completes any required high school course with a grade of C or higher before entering grade nine (9), and if that course meets the same standards that are required in high school, then the student has met the high school content area requirement. However, the student must complete six (6) credits of high school science in addition to the courses completed in middle school. (3-30-07)
- 06. Social Studies.** (Five (5) credits required), including government (two (2) credits), United States history (two (2) credits), and economics (one (1) credit). Current world affairs and geography will be integrated into all social studies instruction. Courses such as geography, sociology, world affairs, and world history may be offered as electives, not to be counted as a social studies requirement. (4-11-06)
- 07. Humanities.** (Two (2) credits required). A course in interdisciplinary humanities, visual and performing arts, or world language. Other courses such as literature, history, philosophy, architecture, or comparative world religions may satisfy the humanities standards if the course syllabus is approved by the State Department of Education as being aligned with the Humanities Standards. (4-11-06)
- 08. Health/Wellness.** (One (1) credit required). A course focusing on positive health habits. (7-1-00)
- 09. College Entrance Examination.** (Effective for all students that enter the ninth grade in the fall of 2009 or later.) A student must take one (1) of the following college entrance examinations before the end of the student's eleventh grade year: COMPASS, ACT or SAT. Scores must be included in the Learning Plan. (3-30-07)
- 10. Senior Project.** (Effective for all students that enter the ninth grade in the fall of 2009 or later.) A student shall complete a senior project that shall include a research paper and oral presentation by the end of grade twelve (12). (3-30-07)
- 11. Assessment.** A student must achieve a proficient or advanced score on the ISAT in math reading and language usage. Effective on January 1, 2012, each student shall also achieve a proficient or advanced score on the science portion of the ISAT in order to graduate. A student is not required to achieve a proficient or advanced score on the ISAT if: (10-12-07)T
 - a.** A student received a proficient or advanced score on an exit exam from another state that requires a standards-based exam for graduation. The state's exit exam shall be approved by the State Board of Education, and must measure skills at the tenth grade level or above and be in comparable subject areas to the ISAT; (4-11-06)
 - b.** A student appeals for another measure approved by a school district or LEA as outlined in Subsection 105.03; or (4-11-06)
 - c.** A student has an IEP that outlines alternate requirements for graduation. (4-11-06)
 - d.** The requirement will be phased in providing the following exemptions for the calendar year of 2006 and 2007. (4-11-06)
 - i.** Calendar year of 2006. A student is not required to achieve a proficient or advanced score on the ISAT if:
 - (1) A student took the ISAT and was within six (6) Rasch Units (RIT points) of proficiency; (4-11-06)

(2) A student has a score of seventeen (17) on the ACT or two hundred (200) on the SAT in English and a score of nineteen (19) on the ACT or four hundred sixty (460) on the SAT in Math; (4-11-06)

(3) A student has an IEP that outlines alternate requirements for graduation; (4-11-06)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

108. GUIDANCE PROGRAMS (SECTION 33-1212, IDAHO CODE).

In each Idaho school, a comprehensive guidance program will be provided as an integral part of the educational program. A comprehensive guidance and counseling program includes these elements: (4-1-97)

01. Guidance. A guidance curriculum that identifies knowledge and skills to be attained by all students at various stages of their development and provides appropriate activities for their achievement. (4-5-00)

02. Individual Planning. Individualized planning with students and their parents in each of these domains: personal/social development, educational development, and career development. (4-5-00)

03. Response Services of Counseling, Consultation, and Referral. (4-5-00)

04. System Support Functions That Promote Effective Delivery of Guidance Services. (4-5-00)

109. SPECIAL EDUCATION.

01. Definitions. The following definitions apply only to Section 109 of these rules. (4-5-00)

a. Adult student. A student who is eligible for special education, is eighteen (18) years of age or older and to whom special education rights have transferred. (4-5-00)

b. Department. State Department of Education. (4-5-00)

c. Education agency. Each school district and other public agency that is responsible for providing special education and related services to students with disabilities, including the Department of Juvenile Corrections and the Idaho School for the Deaf and Blind. (4-5-00)

d. Expedited due process hearing. An administrative hearing to resolve disputes concerning discipline for which shortened time lines are in effect in accordance with the Individuals with Disabilities Education Act. (4-5-00)

e. Governing special education requirements. Sections 33-201, 33-2001 through 2002, 33-2004 through 2005, and 33-2010, Idaho Code; Section 109 of these rules; the Individuals with Disabilities Education Act (IDEA), Parts A and B, (20 U.S.C., Sections 1400-1419); IDEA Regulations (34 C.F.R. Part 300); policies and procedures the State Department of Education is required to adopt to meet the eligibility requirements of 20 U.S.C, Section 1412; and special education case law that sets precedence in Idaho. (4-5-00)

f. Regular due process hearing. An administrative hearing that is conducted to resolve disputes on any matter related to identification, evaluation, placement, or the provision of a free appropriate public education except for disputes concerning discipline for which an expedited hearing may be requested under the Individuals with Disabilities Education Act. (4-5-00)

g. Special education. Specially designed instruction as defined by the Individuals with Disabilities Education Act or speech-language pathology services to meet the unique needs of a special education student. (4-5-00)

02. Legal Compliance. The State Department of Education and education agencies shall comply with all governing special education requirements. (4-5-00)

a. The Board of Trustees or other comparable governing body of each education agency shall adopt policies and procedures for providing special education services and obtain approval from the State Department of Education for the same. Department approval shall be based on current governing special education requirements. Each education agency shall revise its policies and procedures as necessary to conform with changes in governing special education requirements. (4-5-00)

b. The State Department of Education shall provide education agencies with a sample set of policies and procedures that is consistent with governing special education requirements. The Department shall monitor all education agencies and private agencies who provide special education services to students with disabilities for compliance with governing special education requirements and adopted policies and procedures. (4-5-00)

c. Each education agency shall ensure that charter schools and alternative schools located in its jurisdiction have nondiscriminatory enrollment practices. Each education agency shall ensure the provision of special education and related services to eligible students enrolled in charter and alternative schools in accordance with

governing special education requirements. (4-5-00)

d. The child find, services plan, and proportionate expenditure requirements of the Individuals with Disabilities Education Act that apply to students who are voluntarily enrolled in private schools by their parents shall also apply to home school students. (4-5-00)

e. Each education agency contracting with a private school or facility shall ensure that the private school or facility is approved by the State Department of Education to provide special education services. The Department may approve a private school or facility to provide special education services upon application to the Department if it: (4-5-00)

i. Is an accredited school or a licensed rehabilitation center; and (4-5-00)

ii. Meets minimum health, fire and safety standards; and (4-5-00)

iii. Is nonsectarian; and (4-5-00)

iv. Provides special education services consistent with governing special education requirements. (4-5-00)

v. Any private school or facility aggrieved by the Department's final decision may appeal that decision to the State Board of Education. (4-5-00)

f. Education agencies shall employ special education and related services professional personnel using certification standards approved by the State Board of Education or licensing standards adopted by the Bureau of Occupational Licensing. Education agencies shall employ individuals who meet the highest entry-level standard that applies to a specific discipline unless there is a shortage of fully qualified candidates for a specific position. If there is a shortage of fully qualified candidates, the education agency shall hire the most qualified individual available who is making satisfactory progress toward meeting the highest entry-level standard within three (3) years. (4-5-00)

g. Education agencies may employ paraprofessional personnel to assist in the provision of special education and related services to students with disabilities if they meet standards established by the State Department of Education. (4-5-00)

h. Education agencies shall collect and report data as necessary to meet state and federal requirements concerning special education services, staff or students. Education agencies shall develop, implement and revise district improvement plans as necessary to improve results as measured by data on goals and indicators for the performance of special education students that are established by the State Department of Education in accordance with the Individuals with Disabilities Education Act. (4-5-00)

i. Education agencies shall establish a team process to problem solve and plan general education interventions to ensure that referrals to special education are appropriate. (4-5-00)

03. Eligibility for Special Education. The State Department of Education shall provide state eligibility criteria for special education services for categorical and noncategorical eligibility consistent with the Individuals with Disabilities Education Act. Education agencies shall consider eligibility under all disability categories set forth in the Idaho Special Education Manual with the exception of developmental delay, which is an optional category. If an education agency elects to use the developmental delay category, it shall consider developmental delay for students ages three (3) through nine (9) using the eligibility criteria adopted by the Department and set forth in the Idaho Special Education Manual. Noncategorical eligibility procedures and criteria may be used only by schools and education agencies that have applied for and been granted a noncategorical eligibility waiver. (4-5-00)

04. Individualized Education Programs. Each education agency shall develop an individualized education program (IEP) for each student who is eligible for special education. The IEP shall be implemented as soon as possible after it is developed. The total timeline from the date of receipt of written parental consent for an initial

assessment to the date of IEP implementation shall not exceed sixty (60) calendar days, excluding periods when regular school is not in session for five (5) or more consecutive school days, unless all parties agree to an extension. A new IEP shall be developed at least annually, on or before the date the previous IEP was developed. (4-5-00)

a. IEP team meetings shall be convened upon reasonable request of any IEP team member at times other than the annual review. If the education agency refuses to convene an IEP team meeting requested by a parent or adult student, the agency shall provide written notice of the refusal. (4-5-00)

b. Education agencies shall document the attendance of all participants at each IEP team meeting. Any participant who does not agree with an IEP team decision regarding a student's educational program may place a minority report in that student's file. A minority report shall not prevent implementation of an IEP team decision. (4-5-00)

c. The IEP team shall determine the student's placement in the least restrictive environment. (5-3-03)

d. At the discretion of the education agency, an individualized family service plan (IFSP) may be used in place of an IEP if: (4-5-00)

i. The child is ages three (3) through five (5), and (4-5-00)

ii. The child's parents are provided with a detailed explanation of the differences between an IFSP and an IEP, and (4-5-00)

iii. The child's parents provide written consent to use the IFSP, and (4-5-00)

iv. The IFSP is developed in accordance with Part B policies and procedures. (5-3-03)

v. Nothing in this part requires education agencies to develop IFSPs rather than IEPs for three (3) through five (5) year olds nor to implement more than the educational components of the IFSP. (4-5-00)

e. When a student who has been determined eligible for special education, as indicated by a current IEP, transfers from one (1) Idaho education agency to another, the student is entitled to continue to receive special education services. The receiving education agency may accept and implement the existing IEP or may convene an IEP team meeting to develop a new IEP. If a new IEP cannot be developed within five (5) school days, or if the education agency wishes to re-evaluate the child, an interim (short-term) IEP shall be implemented pending development of the standard IEP. (4-5-00)

f. If a student who is eligible for special education in another state transfers to an Idaho education agency, the Idaho education agency shall request a copy of the student's most recent eligibility documentation and IEP within two (2) school days. Within five (5) school days of receipt of the eligibility documentation and IEP, the Idaho education agency shall determine if it will adopt the existing eligibility documentation and IEP. If the education agency disagrees with the existing eligibility documentation, or if the documentation is not available within a reasonable time period, consent for an initial assessment shall be sought. While the assessment and evaluation is in process, the education agency may implement an interim IEP if the parent or adult student agrees. If the parent or adult student does not agree to an interim IEP, the student shall be placed in general education. (4-5-00)

05. Procedural Safeguards. Education agencies will use appropriate procedural safeguards consistent with the Individuals with Disabilities Education Act. (8-4-99)

a. If a parent or adult student disagrees with an individualized education program change or placement change proposed by the district, the parent or adult student may file a written objection to all or parts of the proposed change. If the written objection is postmarked or hand delivered within ten (10) calendar days of the date the parent or adult student receives written notice of the proposed change, the proposed change cannot be implemented. Informal methods such as additional IEP team meetings or voluntary mediation may be used to resolve the disagreement. If these methods fail, the education agency may request a due process hearing to obtain a hearing officer's decision regarding the proposed change. The written objection cannot be used to prevent the education agency from placing a student in an interim alternative educational setting in accordance with IDEA discipline

procedures.

(4-5-00)

b. Mediation may be requested by an education agency, parent, or adult student, or offered by the State Department of Education at any time. The Department shall screen all such requests to determine appropriateness. Any time a hearing is requested, the Department shall offer mediation using policies and requirements set forth in the Individuals with Disabilities Education Act regulations. If the Department appoints a mediator, the Department will reimburse the mediator for an honorarium and travel expenses. All mediation participants shall be required to sign a confidentiality pledge. Attorney fees may not be awarded for a mediation that is conducted prior to a request for a due process hearing. (4-5-00)

c. The State Department of Education shall administer a single-tiered due process hearing system to resolve disputes between education agencies and parents or adult students. When a due process hearing is requested, the superintendent, special education director, or other agency administrator shall inform the agency's board of trustees or other governing body of the request. The education agency shall immediately notify the Department's Bureau of Special Education of any request for a due process hearing. Within ten (10) calendar days of a written request for a regular hearing, or within five (5) business days of a written request for an expedited hearing, an impartial hearing officer shall be assigned by the Department. The Department shall maintain a list of trained hearing officers and their qualifications. (4-5-00)

d. The education agency that is a party to the hearing shall be responsible for compensating the hearing officer and paying for the cost of a verbatim transcript of the hearing. (4-5-00)

e. Due process hearings shall be conducted pursuant to the Idaho Administrative Procedures Act (APA) and the Individuals with Disabilities Education Act (IDEA) requirements. In case of any conflict between the APA and the IDEA, the IDEA shall supersede the APA. (4-5-00)

f. The hearing officer shall issue a written decision that includes findings of fact and conclusions of law within forty-five (45) calendar days of the date a regular hearing is requested, unless a specific extension of this time line is requested by one (1) of the parties and granted by the hearing officer. The hearing officer shall issue a written decision that includes findings of fact and conclusions of law within twenty (20) calendar days of a written request for an expedited hearing, unless a specific extension of this time line has been granted. An extension of the time line for an expedited hearing shall not exceed an additional twenty-five (25) calendar days, and may be granted only if requested by one (1) of the parties and agreed to by both parties. The decision shall be sent to the parent or adult student, the education agency administrator, their respective representatives, and the State Department of Education. (4-5-00)

g. The hearing officer's decision shall be binding unless either party appeals the decision by initiating a civil action. The hearing officer's decision shall be implemented not later than fourteen (14) calendar days from the date of issuance unless an appeal is filed by a parent or adult student or the decision specifies a different implementation date. An appeal to civil court must be filed within forty-two (42) calendar days from the date of issuance of the hearing officer's decision. (4-5-00)

h. During the hearing the education agency shall provide reasonable accommodations as required by federal and state regulations. Disputes concerning reasonable accommodations shall be referred to the Department of Education's Americans with Disabilities Act (ADA) Committee for resolution. (4-5-00)

i. During the pendency of any due process hearing or civil appeal the child's educational placement shall be determined by the Individuals with Disabilities Education Act "stay put" requirements. (4-5-00)

j. A parent or adult student has the right to an independent educational evaluation (IEE) at public expense if the parent or adult student disagrees with an evaluation obtained by the education agency. Whenever an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria the education agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent or adult student's right to an IEE. If an education agency has cost as one (1) of the criteria the education agency uses when it initiates an evaluation, the education agency may apply that criteria to independent educational evaluations. However, the parent or adult student has the right to demonstrate that unique circumstances justify an IEE that falls outside the education

agency's cost criteria, and if so demonstrated, that IEE shall be publicly funded. A due process hearing may be initiated by the education agency to determine if the evaluation conducted by the education agency is appropriate. If the final decision of a hearing officer, or civil court, if the hearing officer's decision is appealed, is that the evaluation conducted by the education agency is appropriate, the parent or adult student still has the right to an independent educational evaluation, but not at the education agency's expense. (4-5-00)

k. Student records shall be managed in accordance with IDEA and Family and Educational Rights and Privacy Act regulations governing security, confidentiality, access, maintenance, destruction, inspection and amendment. (4-5-00)

06. Assistive Technology Devices. Education agencies may hold a parent liable for the replacement or repair of an assistive technology device that is purchased or otherwise procured by the education agency if it is lost, stolen, or damaged due to negligence or misuse at home or in another setting outside of school time. (4-5-00)

07. Diplomas and Graduation. School districts shall use a regular diploma for students who are eligible for special education at the completion of their secondary program. The transcript serves as a record of individual accomplishments, achievements, and courses completed. A modified or differentiated diploma or certificate may not be used for students who are eligible for special education unless the same diploma or certificate is granted to students without disabilities. If a student is not granted a regular high school diploma or if a regular high school diploma is granted for completing requirements that are not comparable to regular graduation requirements, a student who is eligible for special education is entitled to receive a free appropriate public education through the semester in which the student turns twenty-one (21) years of age or until the student completes requirements that are comparable to regular graduation requirements, whichever comes first. (4-5-00)

08. Special Education Advisory Panel. The State Superintendent of Public Instruction shall appoint members to serve on the Special Education Advisory Panel. Panel members shall elect annually an individual to serve a one (1) year term as vice-chair followed by a one (1) year term as chair. (4-5-00)

110. ALTERNATIVE SECONDARY PROGRAMS (SECTION 33-1002; 33-1002C; 33-1002F, IDAHO CODE).

Alternative secondary programs are those that provide special instructional courses and offer special services to eligible at-risk youth to enable them to earn a high school diploma. Some designated differences must be established between the alternative school programs and the regular secondary school programs. Alternative secondary school programs will include course offerings, teacher/pupil ratios and evidence of teaching strategies that are clearly designed to serve at-risk youth as defined in this section. Alternative high school programs conducted during the regular school year will be located on a separate site from the regular high school facility or be scheduled at a time different from the regular school hours. (4-1-97)

01. Student Qualifications. An at-risk youth is any secondary student grade seven through twelve (7-12) who meets any three (3) of the following criteria, Subsections 110.01.a. through 110.01.f., or any one (1) of criteria in Subsections 110.01.g. through 110.01.m. (3-30-07)

- a.** Has repeated at least one (1) grade. (4-1-97)
- b.** Has absenteeism that is greater than ten percent (10%) during the preceding semester. (4-1-97)
- c.** Has an overall grade point average that is less than 1.5 (4.0 scale) prior to enrolling in an alternative secondary program. (4-1-97)
- d.** Has failed one (1) or more academic subjects. (4-1-97)
- e.** Is two (2) or more semester credits per year behind the rate required to graduate. (4-1-97)
- f.** Is a limited English proficient student who has not been in a program more than three (3) years. (3-30-07)
- g.** Has substance abuse behavior. (4-1-97)

- h.** Is pregnant or a parent. (4-1-97)
 - i.** Is an emancipated youth. (4-1-97)
 - j.** Is a previous dropout. (4-1-97)
 - k.** Has serious personal, emotional, or medical problems. (4-1-97)
 - l.** Is a court or agency referral. (4-1-97)
 - m.** Upon recommendation of the school district as determined by locally developed criteria for disruptive student behavior. (4-1-97)
- 02. Instruction.** Special instruction courses for at-risk youth enrolled in an alternative secondary program will include: (4-1-97)
 - a.** Academic skills that include language arts and communication, mathematics, science, and social studies that meet or exceed minimum state standards. (4-1-97)
 - b.** A personal and career counseling component. (4-1-97)
 - c.** A physical fitness/personal health component. (4-1-97)
 - d.** A state division approved vocational-technical component. (4-1-97)
 - e.** A child care component with parenting skills emphasized. (4-1-97)
- 03. Graduation Credit.** Graduation credit may be earned in the following areas: academic subjects, electives, and approved work-based learning experiences. Nonacademic courses, i.e., classroom and office aides do not qualify for credit unless they are approved work-based learning experiences. (4-5-00)
- 04. Special Services.** Special services, where appropriate for at-risk youth enrolled in alternative secondary programs, include the following where appropriate: (4-1-97)
 - a.** A day care center when enrollees are also parents. This center should be staffed by a qualified child care provider. (4-1-97)
 - b.** Direct social services that may include officers of the court, social workers, counselors/psychologists. (4-1-97)

111. ASSESSMENT IN THE PUBLIC SCHOOLS.

- 01. Philosophy.** Acquiring the basic skills is essential to realization of full educational, vocational and personal/social development. Since Idaho schools are responsible for instruction in the basic scholastic skills, the State Board of Education has a vested interest in regularly surveying student skill acquisition as an index of the effectiveness of the educational program. This information can best be secured through objective assessment of student growth. A statewide student assessment program consisting of standardized achievement testing and performance appraisal activities in the fundamental basic skills will be conducted annually. The State Board of Education will provide oversight for all components of the comprehensive assessment program. The State Department of Education will be responsible for the administration of assessment efforts as provided for by the State Board of Education. (3-15-02)
- 02. Purposes.** The purpose of assessment in the public schools is to: (3-15-02)
 - a.** Measure and improve student achievement; (3-15-02)

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

03. Content. The comprehensive assessment program will consist of multiple assessments, including, the Idaho Reading Indicator (IRI), the Direct Writing Assessment (DWA), the Direct Mathematics Assessment (DMA), the National Assessment of Educational Progress (NAEP), and the Idaho Standards Achievement Tests (ISAT). (3-20-04)

04. Testing Population. All students in Idaho public schools, grades kindergarten through ten (K-10), are required to participate in the comprehensive assessment program approved by the State Board of Education and funded. (4-6-05)

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

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

c. Limited English Proficient (LEP) students, as defined in Subsection 112.03.d.iv., who receive a score in the low range on the State Board of Education approved language acquisition proficiency test and have an Education Learning Plan (ELP), shall be given the ISAT with accommodations or adaptations as outlined in the ELP. Students can be categorized as LEP students for two (2) years after testing proficient on the language proficiency test and exiting the LEP program. LEP students who do not have an ELP or a language acquisition score will be given the regular ISAT without accommodations or adaptations. LEP students who are enrolled in their first year of school in the United States may take an English Proficiency test approved by the Board in lieu of the reading/language usage ISAT, but will still be required to take the math ISAT with accommodations or adaptations as determined by the language proficiency score and ELP. Such LEP students will be counted as participants for the ninety-five percent (95%) participation target, as described in Subsection 112.03. However, such LEP students are not required to be counted for AYP purposes in determining proficiency, as described in Subsection 112.02. (4-11-06)

05. Scoring and Report Formats. Scores will be provided for each subject area assessed and reported in standard scores, benchmark scores, or holistic scores. Test results will be presented in a class list report of student scores, building/district summaries, content area criterion reports by skill, disaggregated group reports, and pressure sensitive labels as appropriate. Information about the number of students who are eligible for special education who participate in regular and alternate assessments, and their performance results, shall be included in reports to the public if it is statistically sound to do so and would not disclose performance results identifiable to individual students. (5-3-03)

06. Comprehensive Assessment Program. The State approved comprehensive assessment program is outlined in Subsections 111.06.a. through 111.06.l. Each assessment will be comprehensive of and aligned to the Idaho State Achievement Standards it is intended to assess. In addition, districts are responsible for writing and

implementing assessments in those standards not assessed by the state assessment program. (4-6-05)

- a. Kindergarten - Idaho Reading Indicator. (3-15-02)
- b. Grade 1 - Idaho Reading Indicator. (3-15-02)
- c. Grade 2 - Idaho Reading Indicator, Grade 2 Idaho Standards Achievement Tests. (3-20-04)
- d. Grade 3 - Idaho Reading Indicator, Grade 3 Idaho Standards Achievement Tests. (3-20-04)
- e. Grade 4 - Direct Math Assessment, National Assessment of Educational Progress, Grade 4 Idaho Standards Achievement Tests. (3-20-04)
- f. Grade 5 - Direct Writing Assessment, Grade 5 Idaho Standards Achievement Tests. (3-20-04)
- g. Grade 6 - Direct Math Assessment, Grade 6 Idaho Standards Achievement Tests. (3-20-04)
- h. Grade 7 - Direct Writing Assessment, Grade 7 Idaho Standards Achievement Tests. (3-20-04)
- i. Grade 8 - Direct Math Assessment, National Assessment of Educational Progress, Grade 8 Idaho Standards Achievement Tests. (3-20-04)
- j. Grade 9 - Direct Writing Assessment, Grade 9 Idaho Standards Achievement Tests. (3-20-04)
- k. Grade 10 - High School Idaho Standards Achievement Tests. (3-20-04)
- l. Grade 12 - National Assessment of Educational Progress. (4-11-06)
- m. *Students who achieve a proficient or advanced score on a portion or portions of the ISAT offered in the Spring of their tenth grade year or later are not required to continue taking that portion or portions. (3-20-04)

07. Comprehensive Assessment Program Schedule. (5-3-03)

- a. The Idaho Reading Indicator will be administered in accordance with Section 33-1614, Idaho Code. (3-15-02)
- b. The Direct Math Assessment and the Direct Writing Assessment will be administered in December in a time period specified by the State Department of Education. (3-15-02)
- c. The National Assessment of Educational Progress will be administered in timeframe specified by the U.S. Department of Education. (3-15-02)
- d. The Idaho Standards Achievement Tests will be administered twice annually in the Fall and Spring in a time period specified by the State Board of Education. (5-3-03)

08. Costs Paid by the State. Costs for the following testing activities will be paid by the state: (4-1-97)

- a. All consumable and non-consumable materials needed to conduct the prescribed statewide comprehensive assessment program; (3-15-02)
- b. Statewide distribution of all assessment materials; (3-15-02)
- c. Processing and scoring student response forms, distribution of prescribed reports for the statewide comprehensive assessment program; and (3-15-02)
- d. Implementation, processing, scoring and distribution of prescribed reports for the Direct Writing

Assessment and the Direct Mathematics Assessment. (3-15-02)

09. Costs of Additional Services. Costs for any additional administrations or scoring services not included in the prescribed statewide comprehensive assessment program will be paid by the participating school districts. (3-15-02)

10. Services. The comprehensive assessment program should be scheduled so that a minimum of instructional time is invested. Student time spent in testing will not be charged against attendance requirements. (3-15-02)

11. Test Security, Validity and Reliability. Test security is of the utmost importance. School districts will employ the same security measures in protecting statewide assessment materials from compromise as they use to safeguard other formal assessments. (3-20-04)

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

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

c. Any assessment used for federal reporting shall be independently reviewed for reliability, validity, and alignment with the Idaho Achievement Standards. (3-20-04)

12. Demographic Information. Demographic information will be required to assist in interpreting test results. It may include but not be limited to race, sex, ethnicity, and special programs, (Title I, English proficiency, migrant status, special education status, gifted and talented status, and socio-economic status). (5-3-03)

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

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

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

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

ii. Math. (3-15-02)

iii. Science. (3-15-02)

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

v. Health. (3-15-02)

vi. Humanities. (3-15-02)

112. ACCOUNTABILITY.

The provisions in this section apply for the purposes of meeting the “No Child Left Behind” Act and the state of Idaho accountability requirements. (3-20-04)

01. Student Achievement Levels. There are four (4) levels of student achievement for the ISAT. (3-20-04)

a. Advanced: Exceeds Standards. The student demonstrates thorough knowledge and mastery of skills that allows him/her to function independently above his current educational level. (3-20-04)

- i. The student demonstrates a comprehensive understanding of all relevant information. (3-20-04)
- ii. The student demonstrates comprehension and understanding of knowledge and skills above his/her grade level. (3-20-04)
- iii. The student can perform skills or processes independently without significant errors. (3-20-04)

b. Proficient: Meets Standards. The student demonstrates mastery of knowledge and skills that allow him/her to function independently on all major concepts and skills at his/her educational level. (3-20-04)

- i. The student demonstrates a comprehensive understanding of all information relevant to the topic, at level. (3-20-04)
- ii. The student can perform skills or processes independently without significant errors. (3-20-04)

c. Basic: Below Standards. The student demonstrates basic knowledge and skills usage but cannot operate independently on concepts and skills at his/her educational level. Requires remediation and assistance to complete tasks without significant errors. (3-20-04)

- i. The student has an incomplete knowledge of the topic or misconceptions about some information. (3-20-04)
- ii. The student requires assistance and coaching to complete tasks without errors. (3-20-04)

d. Below Basic: Critically Below Standards. The student demonstrates significant lack of skills and knowledge and is unable to complete basic skills or knowledge sets without significant remediation. (3-20-04)

- i. The student has critical deficiencies of relevant knowledge of topic or misconceptions about some information. (3-20-04)
- ii. The student cannot complete any skill set without significant assistance and coaching. (3-20-04)

02. Adequate Yearly Progress (AYP). (3-20-04)

a. Proficiency is defined as the number of students scoring proficient or advanced on the spring on-grade level ISAT. (3-20-04)

b. The State Department of Education will make AYP determinations for schools and districts each year. Results will be given to the districts no later than one (1) month prior to the first day of school. (3-20-04)

c. The baseline for AYP will be set by the Board and shall identify the amount of growth (percentage of students reaching proficiency) required for each intermediate period. (3-20-04)

03. Adequate Yearly Progress (AYP) Definitions. For purposes of calculating and reporting adequate yearly progress, the following definitions shall be applied. (3-20-04)

- a.** Full Academic Year (continuous enrollment). (3-20-04)
 - i. A student who is enrolled continuously in the same public school from the end of the first eight (8) weeks or fifty-six (56) calendar days of the school year through the end of the state approved spring testing administration period will be included in the calculation to determine if the school achieved AYP. A student is continuously enrolled if he/she has not transferred or dropped-out of the public school. Students who are serving suspensions are still considered to be enrolled students. Students who are expelled but return to another school in the

same district are considered continuously enrolled to determine the district AYP. (4-6-05)

ii. A student who is enrolled continuously in the school district from the first eight (8) weeks or fifty-six (56) calendar days of the school year through the end of the state approved spring testing administration period will be included when determining if the school district has achieved AYP. (4-6-05)

iii. A student who is enrolled continuously in a public school within Idaho from the end of the first eight (8) weeks or fifty-six (56) calendar days of the school year through the end of the state approved spring testing administration period will be included when determining if the state has achieved AYP. (4-6-05)

b. Participation Rate. (3-20-04)

i. Failure to include ninety-five percent (95%) of all students and ninety-five percent (95%) of students in designated subgroups automatically identifies the school as not having achieved AYP. The ninety-five percent (95%) determination is made by dividing the number of students assessed on the Spring ISAT by the number of students reported on the class roster file for the Spring ISAT. (3-20-04)

(1) If a school district does not meet the ninety-five percent (95%) participation target for the current year, the participation rate can be calculated by the most current three (3) year average of participation. (4-6-05)

(2) Students who are absent for the entire state-approved testing window because of a significant medical emergency are exempt from taking the ISAT if such circumstances prohibit them from participating. (4-6-05)

ii. For groups of ten (10) or more students, absences for the state assessment may not exceed five percent (5%) of the current enrollment or two (2) students, whichever is greater. Groups of less than ten (10) students will not have a participation determination. (3-20-04)

c. Schools. (3-20-04)

i. An elementary school includes a grade configuration of grades Kindergarten (K) through six (6) inclusive, or any combination thereof. (3-20-04)

ii. A middle school is a school that does not meet the definition of an elementary school and contains grade eight (8) but does not contain grade twelve (12). (4-6-05)

iii. A high school is any school that contains grade twelve (12). (3-20-04)

iv. The accountability of public schools without grades assessed by this system (i.e., K-2 schools) will be based on the third grade test scores of the students who previously attended that feeder school. (3-20-04)

d. Subgroups. Scores on the ISAT must be disaggregated and reported by the following subgroups: (3-20-04)

i. Race/Ethnicity - Black/African American, Asian, Native Hawaiian/Pacific Islander, White, Hispanic/Latino Ethnicity, American Indian/Alaska Native. (3-20-04)

ii. Economically disadvantaged - identified through the free and reduced lunch program. (3-20-04)

iii. Students with disabilities - individuals who are eligible to receive special education services through the Individuals with Disabilities Education Act (IDEA). (3-20-04)

iv. Limited English Proficient - individuals who score in the low range on the state-approved language proficiency test and meet one of the following criteria: (4-6-05)

(1) Individuals whose native language is a language other than English; or (4-6-05)

- (2) Individuals who come from environments where a language other than English is dominant; or (4-6-05)

(3) Individuals who are American Indian and Alaskan natives and who come from environments where a language other than English has had a significant impact on their level of English language proficiency, and who, by reason thereof, have sufficient difficulty speaking, reading, writing, or understanding the English language to deny such individuals the opportunity to learn successfully in classrooms, where the language of instruction is English. (4-6-05)

e. Graduation Rate. The State Board of Education will establish a target for graduation. All high schools must maintain or make progress toward the target each year. The graduation rate will be disaggregated by the subpopulations listed in Subsection 112.03.d. in the event the “safe harbor” is invoked by the school/district. By 2014, the schools/districts must meet the target. (3-20-04)

f. Additional Academic Indicator. The State Board of Education will establish a target for an additional academic indicator. All elementary and middle schools must maintain or make progress toward the additional academic indicator target each year. The additional academic indicator target will be disaggregated by the subpopulations listed in Subsection 112.03.d. in the event the “safe harbor” is invoked by the school/district. By 2014, the schools/districts must meet the target. (3-20-04)

113. REWARDS.

01. Distinguished Schools. A school may be recognized as a “Distinguished School” if it is in the top five percent (5%) of schools exceeding the Idaho Adequate Yearly Progress (AYP) intermediate targets listed in Subsection 112.02, of this rule, and if it has significantly reduced the gaps between subgroups listed in Subsection 112.03.d. of this rule. (3-30-07)

02. Additional Yearly Growth (AYG) Award. A school demonstrating improved proficiency levels of subpopulations or in the aggregate by greater than ten percent (10%) shall be considered to have achieved AYG. Such school must have achieved Adequate Yearly Progress (AYP) to be eligible for this award. (3-30-07)

03. Determination by State Department of Education. The State Department of Education will determine the schools eligible for the Distinguished School and AYG awards each year based upon the criteria outlined in Subsections 113.01 and 113.02. The State Department of Education will present the schools to be recognized to the State Board of Education no later than the annual October Board Meeting. (3-30-07)

114. FAILURE TO MEET ADEQUATE YEARLY PROGRESS (AYP).

01. Compliance with Federal Law. All schools and local educational agencies in this state shall comply with applicable federal laws governing specific federal grants. (4-6-05)

a. With respect to schools and local educational agencies in this state that receive federal grants under title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001 (Title I schools), the State Department of Education shall develop procedures for approval by the State Board of Education, consistent with federal law, that describe actions to be taken by local educational agencies and schools in this state in regard to schools that fail to meet AYP. (4-6-05)

b. With respect to schools and local educational agencies in this state that do not receive federal grants under Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left Behind Act of 2001, such non-Title I schools and local educational agencies shall be required to comply with federal law and with the procedures relating to failure to meet AYP as provided in Subsection 114.01.a. of this rule, as if they were Title I schools, except that any provisions relating to the use of federal grants to pay for such expenses shall not be applicable to such non-Title I schools and local educational agencies. In such event, non-title I schools shall be required to fund such compliance costs from general operating funds. (4-6-05)

02. State Department of Education. With respect to the implementation of duties responsibilities described under Title I of the Elementary and Secondary Education Act of 1965, as amended by the No Child Left

Behind Act of 2001, that are applicable to a state educational agency, the State Department of Education shall perform such duties and responsibilities, including, but not limited to, making technical assistance available to local educational agencies that fail to meet AYP as required under federal law, and for providing technical assistance, developing improvement plans, and providing for mandatory corrective actions to local educational agencies as required under federal law. (4-6-05)

115. DATA COLLECTION.

The State Department of Education will collect the required information from participating school files for state and federal reporting and decision-making. The enrollment collection will contain information about the enrollment of the student attributes such as active special education, Limited English Proficient (LEP), migrant, grade level, gender, race, and free/reduced lunch status. The collection will be done in mid-October, early February, and May (end of the testing window). Each participating school is required to verify the data submitted in the files to assure accuracy. (3-20-04)

116. -- 127. (RESERVED).

128. CURRICULAR MATERIALS SELECTION (SECTIONS 33-118; 33-118A, IDAHO CODE).

The State Board of Education will appoint a committee to select curriculum materials. Committee appointments will be for a period of five (5) years. The membership of the committee will include one (1) representative from each of the state's institutions of higher education (Boise State University, Idaho State University, Lewis-Clark State College, and University of Idaho); two (2) Idaho public school administrators; two (2) Idaho public school elementary classroom teachers; two (2) Idaho public school secondary classroom teachers; one (1) person who is not a public school educator nor a public school trustee, one (1) person (parent, teacher, or administrator) representing Idaho's private/parochial schools, who will not be a public school educator or trustee; one (1) public school trustee; three (3) parents and one (1) curriculum consultant from the Division of Instruction of the State Department of Education and one (1) from the Division of Vocational Education whose appointment will be for one (1) year. The Executive Secretary will be an employee of the State Department of Education and will be a voting member of the committee. (3-20-04)

01. Subject Areas. Curricular materials are adopted by the State Board of Education for a period of six (6) years in the following subject areas: reading, English, spelling, speech, journalism, languages other than English, art, drama, social studies, music, mathematics, business education, career education and counseling, vocational/technical education, science, health, handwriting, literature, driver education, limited English proficiency. (4-11-06)

02. Multiple Adoptions are Made in Each Subject Area. (4-5-00)

03. Bids. Each publisher must deliver, according to the committee schedule, a sealed bid on all curricular materials presented for adoption. (4-5-00)

04. Depository. The State Board will appoint a depository for the state-adopted curricular materials. Resource materials are a local option. (4-5-00)

05. Local Policies. School districts will follow their own policies for adoption in subject areas offered by a school district for which materials are not covered by the state curriculum materials committee. (4-5-00)

129. COMMUNICATION.

01. Communication Skills Emphasis. Communication skills enabling students to be responsible citizens of their homes, schools and communities will be emphasized throughout the curriculum. The teaching and demonstrating of effective communication skills will be exemplified throughout the kindergarten through twelve (K-12) system. (4-1-97)

02. Age-Appropriate Classroom, School, and Community Activities. Each year, age-appropriate classroom, school and community activities will be provided to all students for the purpose of developing written and oral communication skills with individuals and groups. Good listening skills are a critical component of the communication process. (Section 33-1612, Idaho Code) (4-1-97)

130. TECHNOLOGY.

Throughout the kindergarten through twelve (K-12) system, technology will be integral to curriculum, instruction and assessment. (Section 33-1612, Idaho Code). Technology moves communication to a new dimension. The kindergarten through twelve (K-12) system must lay the foundation for students to be able to participate comfortably in an increasingly technological society. Classroom activities will include instruction using multi-media, distance learning and other technologies. (4-1-97)

01. Distance Learning Settings. In distance learning settings, districts will provide for: (4-1-97)

a. Adequate student contact with a teacher or paraprofessional during instructional process. (4-1-97)

b. Ready access for answering student questions. (4-1-97)

c. Adequate teacher time to provide students with feedback on assignments and questions. (4-1-97)

02. Cooperative Instructional Initiatives. Cooperative instructional initiatives from post-secondary institutions among districts and other sources are encouraged. Local school districts will be responsible for the quality of the programs offered and will assure that all state standards are met. (4-1-97)

131. -- 139. (RESERVED).

140. WORKFORCE SKILLS.

01. Academic Skill Development. All students will be provided the opportunity to develop their academic skills (i.e., reading, language arts and communication, mathematics, science, social studies) and to develop the skills necessary for entering the workforce, including self-management skills (i.e., ability to plan, self-discipline, respect for authority, ongoing skill improvement), individual and teamwork skills (i.e., personal initiative, working with others), thinking/information skills (i.e., reasoning, problem solving, acquiring and using information) and vocational-technical skills based on the standards of the industry as approved by the State Board of Vocational Education. (4-1-97)

02. Other Skill Development. Recognizing that students may or may not be active in the workforce, the State Board believes all students should be provided the opportunity to become contributing community and family members. This instruction includes homemaking skills (i.e., nutrition, child development, resource management); balancing work and family responsibilities; and entrepreneurial skills. (4-1-97)

03. Work-Based Learning Experiences. Work-based learning experiences may be provided as part of the instruction in the school. For students to receive credit, these experiences will include: training plans, training agreements, approved work sites, and supervision by appropriately certificated personnel. If work-based learning experiences are selected, they will be included in the Parent Approved Student Learning Plans. Instruction will be organized to facilitate a successful transition into the workforce and further education. (4-1-97)

141. -- 149. (RESERVED).

150. BASIC VALUES.

Honesty, self-discipline, unselfishness, respect for authority and the central importance of work are emphasized. (See Section 33-1612) (4-1-97)

151. -- 159. (RESERVED).

160. SAFE ENVIRONMENT AND DISCIPLINE.

Each school district will have a comprehensive districtwide policy and procedure encompassing the following:

School Climate
Discipline
Student Health

Violence Prevention
Gun-free Schools
Substance Abuse - Tobacco, Alcohol, and Other Drugs
Suicide Prevention
Student Harassment
Drug-free School Zones
Building Safety including Evacuation Drills

Districts will conduct an annual review of these policies and procedures. (See Section 33-1612) (4-1-97)

161. -- 169. (RESERVED).

170. CITIZENSHIP.

Schools will provide instruction and activities necessary for students to acquire the skills to enable them to be responsible citizens in their homes, schools, communities, state and nation. (Section 33-1612, Idaho Code) (4-1-97)

171. -- 199. (RESERVED).

200. K-12 STATE ACHIEVEMENT STANDARDS.

As stated in Subsection 105.02 of these Thoroughness rules, all students graduating from Idaho public high schools must meet locally established achievement standards. The standards set forth in Sections 250 through 954, inclusive, are state achievement standards that shall be the minimum standards used by every school district in the state in order to establish a level of academic achievement necessary to graduate from Idaho's public schools. Each school district may set standards more rigorous than these state achievement standards but no district shall use any standards less rigorous than those set forth in these Thoroughness rules. The implementation time and effective date for these Achievement Standards rules is the graduating senior class of 2005. (3-15-02)

201. -- 209. (RESERVED).

210. ACHIEVEMENT STANDARDS DEFINITION.

Idaho State Board of Education's Definition of an Achievement Standard: "Specific subject criteria which, when measured, show a specific level of content knowledge and demonstrated application." (3-30-01)

211. KINDS OF STANDARDS.

(Normally discussed when trying to define standards.)

01. Content Standards. Content standards are statements that clearly define what students should know and be able to do in various subject areas and at different points in their education. (4-5-00)

02. Performance Standards. Performance standards provide concrete examples and explicit definitions of how well students must learn the material represented by content standards. (4-5-00)

03. Assessment Standards. Assessment is the measurement of what a student knows and is able to do, usually expressed in terms of progress toward a standard. (4-5-00)

212. -- 214. (RESERVED).

215. ABBREVIATIONS.

01. Language Arts/Communications. (4-5-00)

a. ICTE. Idaho Council of Teachers of English. (4-5-00)

b. NCTE. National Council of Teachers of English. (4-5-00)

- c. IRA. International Reading Association. (4-5-00)
- d. ICIRA. Idaho Council of the International Reading Association. (4-5-00)
- 02. Science Committee Acronyms.** (4-5-00)
 - a. NSTA. National Science Teachers Association. (4-5-00)
 - b. ISTA. Idaho Science Teachers Association. (4-5-00)
 - c. AAAS. American Association for the Advancement of Science. (4-5-00)
 - d. NRC. National Research Council. (4-5-00)

216. GLOSSARY OF MATHEMATICAL TERMS.

01. Appropriate Technology. May include paper and pencil, graph paper, simple calculators, graphing calculators, computers with spreadsheets, or even specialized mathematics software such as Geometer's Sketchpad or Maple. It is the decision of school districts and teachers to determine which tools are most appropriate for both instruction and application. (4-5-00)

02. Arithmetic Operations. Basic operations on numbers, including addition, subtraction, multiplication, division, and exponentiation (raising a number to a power). (4-5-00)

03. Function. One (1) of the most important and fundamental concepts in mathematics. Functions have inputs (domain values) and transform these inputs into unique outputs (range values). The function is the process or rule that accomplishes this transformation. Functions may be described by: (4-5-00)

- a. Tables of values, such as a table of heights with associated idealized weights. (4-5-00)
- b. Graphs, such as a chart depicting a company's daily closing stock price over the last year. (4-5-00)
- c. Calculator function buttons, where the domain (input) value is the number keyed in, the function is performed by the circuitry in a chip, and the range (output) value is the number read in the display after pressing the function button. (4-5-00)
- d. Spreadsheet functions, where the domain (input) value is the content of the cell referenced, the function is the subprogram that actually performs the computation, and the range (output) value is the number that is computed. (4-5-00)
- e. An explicit formula, such as the squaring function " $f(x)=x^2$ " which takes any input " x " and transforms it by multiplying " x " by itself. (4-5-00)

04. The Language of Algebra. Algebra is that branch of mathematics dealing with the study of number systems. The common number systems include the natural numbers, the integers (includes zero and the negatives of the counting numbers), the rational numbers (fractions), the real numbers (decimals), and the complex numbers (like $2 - 4i$). Algebra uses letters and other symbols to describe general properties of numbers, to specify conditions placed on them, or to describe relationships between them. (4-5-00)

05. Linear Equation. An equation, in which the variables (unknowns) occur only to the first power, multiplied only by constants. For example, the equations:

$$4x - 3 = \sqrt{2} \quad \text{and} \quad \frac{1}{2}x - 7y = 11$$

are linear in one (1) and two (2) variables respectively, while: $x^2 + 5x + 7 = 0$ and $xy = 1$ are nonlinear equations. A linear equation in two (2) variables has a graph that is a straight line in the coordinate plane. A linear equation in three

(3) variables has a graph which is a plane in 3-space. (4-5-00)

06. Linear Programming. A mathematical technique to solve optimization problems involving linear objective functions (such as maximizing profit or minimizing cost) subject to linear inequality constraints (such as amount of ingredients available, the relative proportions used, and relative costs). (4-5-00)

07. Linear System. A system of more than one (1) equation or inequalities, each using the same variables, and each linear. A solution to the system is any assignment of values to the variables that makes every equation or inequality simultaneously true. The complete solution is the set of all possible solutions. (4-5-00)

08. Mathematical Model. Equations, inequalities, functions, or other mathematical expressions that model a real-world process. Realistic mathematical models are increasingly important in the modern world, especially with the increased use of powerful computers. Many processes, which formerly could only be studied by expensive laboratory experiments, can now be studied as realistic mathematical models. (4-5-00)

09. Mean, Median, and Mode. Three (3) common ways to measure the center of a set of numerical data. The mean is the arithmetic average of the data. The median is the middle value of the sorted data set with an odd number of items or the average of the middle two (2) values when the data contains an even number of items. The mode is the most common data value, if it exists. Of the three (3), the mean and median are more useful and frequently used. In any particular application, whether the mean or median is more appropriate depends on the data set and the intended use. (4-5-00)

10. Order of Operations. The commonly accepted rules used for reading algebraic expressions or evaluating arithmetic expressions. (4-5-00)

a. Evaluate expressions inside parentheses first. (4-5-00)

b. Within the same level of parentheses: (4-5-00)

i. Evaluate exponents first; (4-5-00)

ii. Evaluate products and/or quotients next; (4-5-00)

iii. Evaluate sums and/or differences last. (4-5-00)

c. Examples: $2 * 3^2 + 4 = 22$, $2(3^2 + 4) = 2 * 13 = 26$, $(2 * 3)^2 + 4 = 62 + 4 = 40$. (4-5-00)

11. Probability. (4-5-00)

a. The branch of mathematics dealing with chance. The experimental model is one (1) illustration of probability. Imagine an experiment with outcomes. An event is a collection of outcomes. The probability of an event is the proportion of the experiments that result in an outcome in the event. The probability of an event is always a number between zero (0) and one (1). Events with probabilities near one (1) are very likely to occur, while those with probabilities near zero (0) are very unlikely. (4-5-00)

b. Example. To estimate the probability that a randomly selected, adult American female is between sixty (60) inches and sixty-six (66) inches tall, select an adult American female at random and measure her height. If one thousand (1,000) women are selected and measured, the probability would be the proportion of the experiments that selected a woman between those heights. (4-5-00)

12. Pythagorean Theorem. A theorem from Euclidean geometry about right triangles. The hypotenuse of a right triangle is the side opposite the right angle. The legs are the other two (2) sides. The theorem states that the square of the hypotenuse is the sum of the squares of the legs. (4-5-00)

13. Quadratic Equation. An equation, which can be reduced to the form $ax^2 + bx + c = 0$, with a, b, and c constants, where a does not equal 0. (4-5-00)

14. Scaling Factor. The ratio between the corresponding dimensions of two (2) figures of the same shape. (4-5-00)

15. Statistics. The branch of mathematics dealing with collecting, analyzing, and reasoning from data. The process may involve collecting all of the possible data (a census), or it may involve collecting a subset or sample of the data. The analysis may involve organizing, condensing, calculating summary measurements (statistics), or constructing graphical displays. These descriptive tools help draw conclusions about the real world from which the data originated. When appropriate, probability models provide the framework for attaching a measure of confidence to the conclusions. (4-5-00)

16. Standard Deviation. A measure of the spread of a set of numerical data. If a data set has a relatively large standard deviation, then the data is very spread out. If the standard deviation is small, the data is highly clustered. (4-5-00)

17. Tolerance. The acceptable range of accuracy of a measurement, or the allowable error in a given measurement. (4-5-00)

217. -- 998. (RESERVED).

999. GIFTED AND TALENTED PROGRAMS.

01. Definitions. The following definitions apply only to Section 999 of these rules. (3-30-07)

a. Department. State Department of Education. (3-30-07)

b. District. Local school district. (3-30-07)

c. Gifted/talented children. Those students who are identified as possessing demonstrated or potential abilities that give evidence of high performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities Section 33-2001, Idaho Code. (3-30-07)

d. Governing gifted and talented educational requirements. Sections 33-201, 33-2001, 33-2003, Idaho Code. (3-30-07)

02. Legal Compliance. The State Department of Education and districts shall comply with all governing gifted and talented education requirements. (3-30-07)

03. District Plan. Each school district shall develop and write a plan for its gifted and talented program. The plan shall be submitted to the Department no later than October 15, 2001. The plan shall be updated and submitted every three (3) years thereafter and shall include: (3-30-07)

a. Philosophy statement. (3-30-07)

b. Definition of giftedness. (3-30-07)

c. Program goals. (3-30-07)

d. Program options. (3-30-07)

e. Identification procedures. (3-30-07)

f. Program evaluation. (3-30-07)

04. Screening. The district's process for identifying gifted and talented students shall include the following steps: (3-30-07)

a. The district shall screen all potentially gifted and talented students to ensure they have an

opportunity to be considered; and (3-30-07)

b. The district shall assess those students meeting the screening criteria and gather additional information concerning their specific aptitudes and educational needs; and (3-30-07)

c. The district shall match student needs with appropriate program options. (3-30-07)

05. Assessment. Placement decisions shall not be determined by a single criterion (for instance, test scores, other measurement, teacher recommendation, or nomination). The district's identification process shall use multiple indicators of giftedness with information obtained through the following methods and sources: (3-30-07)

a. Procedures for obtaining information about students shall include formal assessment methods, such as group and individual tests of achievement, general ability, specific aptitudes and creativity. (3-30-07)

b. Procedures for obtaining information about students shall also include informal assessment methods, such as checklists, rating scales, pupil product evaluations, observations, nominations, biographical data, questionnaires, interviews and grades. (3-30-07)

c. Information about students shall be obtained from multiple sources, such as teachers, counselors, peers, parents, community members, subject area experts, and the students themselves. (3-30-07)

06. Administration. The district shall designate a certificated staff person to be responsible for development, supervision, and implementation of the gifted and talented program. (3-30-07)

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